

JOURNAL

OF THE

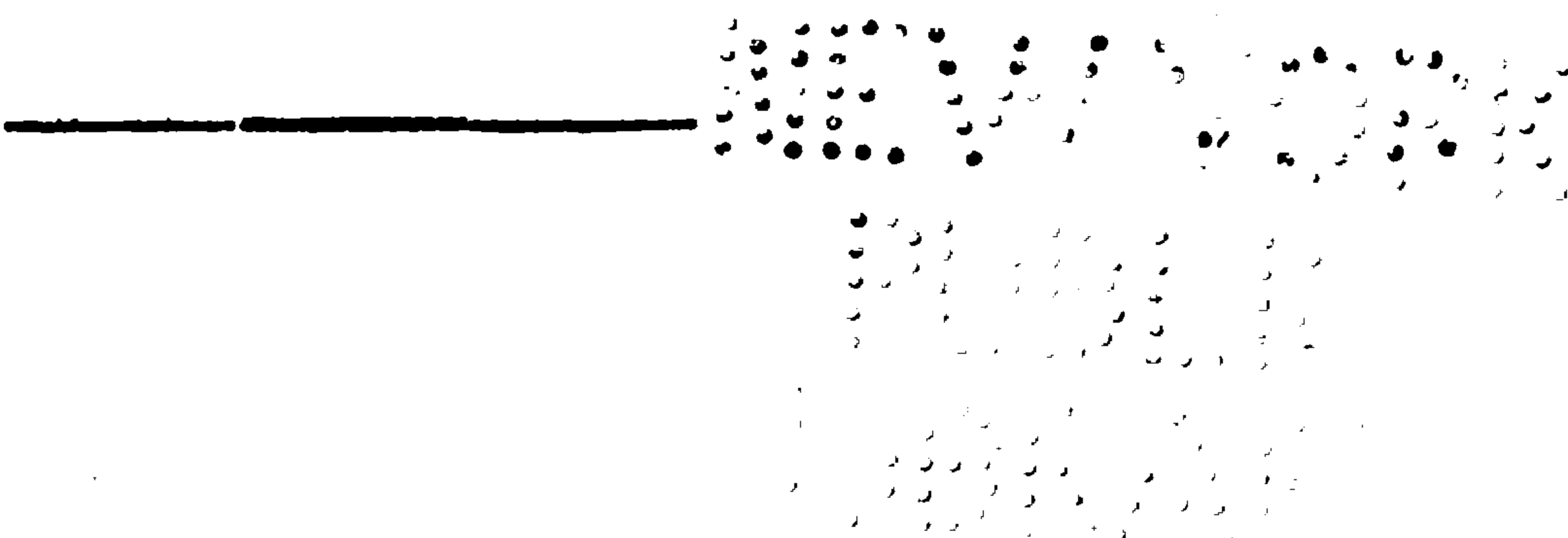
HOUSE OF REPRESENTATIVES,

OF THE

TERRITORY OF WASHINGTON: Territory

BEING THE

SEVENTH SESSION OF THE LEGISLATIVE ASSEMBLY
BEGUN AND HELD AT OLYMPIA,
DECEMBER 3d, 1859.

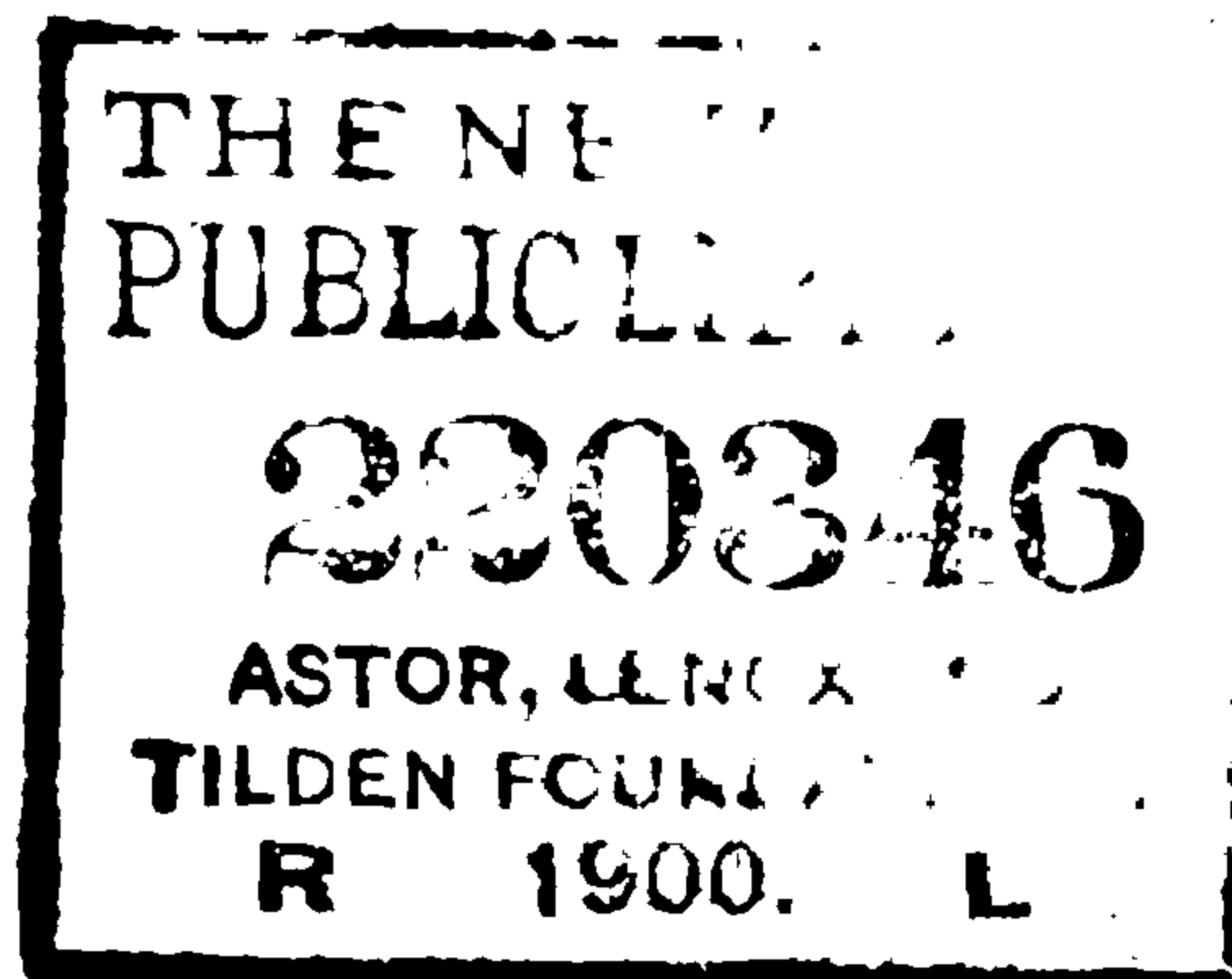


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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

MONDAY, December 5th, A. D., 1859.

This being the day prescribed by law for the meeting of the Legislative Assembly of Washington Territory, the members elect to the House of Representatives convened in their Chamber in the Territorial Capitol, and were called to order by Mr. Lyman Shaffer, Assistant Clerk of the last session.

On motion of Mr. Wood,

Mr. Shaffer was appointed Speaker *pro tem*.

On motion,

Mr. J. Waldrick was appointed Chief Clerk *pro tem*.

On motion,

Mr. G. Ford was appointed Assistant Clerk *pro tem*.

Mr. Chenoweth moved that a committee of three be appointed by the Chair to examine credentials, and report to-morrow at 10 o'clock.

Carried.

And the Chair appointed Messrs. Chenoweth, of Island, Biles, of Clarke, and Tennant, of Whatcom, said committee.

When, on motion of Mr. Chapman,

The House adjourned till to-morrow morning at 10 o'clock.

G. FORD,
Assistant Clerk pro tem.

TUESDAY, December 6th, 1859.

House met pursuant to adjournment.

Reading of the Journal of yesterday dispensed with.

Upon leave being granted,

Mr. Chenoweth, of the Committee on Credentials, submitted the following report:

“The committee appointed to examine the credentials of the members elect to the present House of Representatives of the seventh session of the Legislative Assembly of Washington Territory, find the following named persons duly elected and entitled to their seats:”

For Walla Walla County—John C. Smith.

For Skamania County—James L. Ferguson.

For Clarke County—J. P. Shockley, A. H. Simmons, A. C. Short, H. M. Knapp, and John D. Biles.

For Cowlitz County—Henry Jackson.

For Cowlitz and Wahkiakum Counties—Charles McCall, and Henry Jackson.

For Pacific County—H. S. Gile.

For Chehalis County—Lyman Shaffer.

For Lewis County—Henry Miles, and H. A. Judson.

For Thurston County—B. L. Henness, G. K. Willard, Charles E. Weed, Oliver Shead, Levi Shelton, and A. S. Yantis.

For Sawamish County—C. W. Swindall.

For Pierce County—John M. Chapman, W. H. Wood, and W. Savage.

For King County—Joseph Foster.

For Kitsap County—John Webster.

For Island County—F. A. Chenoweth.

For Jefferson County—J. M. Van Valzah.

For Whatcom County—John A. Tennant.

For Clalm County—D. F. Brownfield.

F. A. CHENOWETH,

Chairman.

On motion of Mr. Wood,

The Honorable Secretary was requested to administer the oath of office to members elect to the House.

The Secretary being in attendance, came forward, and the members present received the oath according to law.

In the absence of the Chief Clerk *pro tem*, Mr. Chenoweth moved that J. T. Turner be appointed to fill said office.

Carried.

Mr. Brownfield moved that the House now proceed to the election of permanent officers for this body.

Carried.

Mr. Chapman moved that the House proceed to elect a Speaker by ballot.

Pending which motion,

Mr. Tennant moved to amend by voting *viva voce*.

Carried.

Mr. Short put in nomination the name of J. D. Biles for Speaker.

Mr. McCall put in nomination the name of John A. Tennant.

Mr. Miles put in nomination the name of James L. Ferguson.

Upon a vote being taken, the following was the result:

J. D. Biles received.....	15
John A. Tennant received.....	9
James L. Ferguson received.....	3

Mr. Biles having received a majority of all the votes cast, was declared duly elected Speaker of the House.

Mr. Brownfield moved that a committee of three be appointed by the Chair to conduct the Speaker to his seat.

Carried.

The Chair appointed Messrs. Chenoweth, Tennant and Ferguson said committee.

The Speaker upon being conducted to the Chair, in a brief and pertinent manner returned his thanks to the members of the House for the honor thus conferred upon him.

Mr. Weed moved that the House now proceed to the election of a Chief Clerk.

Carried.

The names of William M. Randall, J. T. Turner and D. F. Newsom were severally placed in nomination for said office.

Upon a vote being taken, the following was the result:

William M. Randall received.....	13
J. T. Turner received.....	12
D. F. Newsom received.....	3
Whole number of votes cast.....	28

Neither of the candidates having received a majority of all the votes cast, the House proceeded to a second vote, with the following result:

William M. Randall received.....	11
J. T. Turner received.....	15
D. F. Newsom received.....	1
Blank.....	1

J. T. Turner having received a majority of all the votes cast, was declared duly elected Chief Clerk.

On motion of Mr. Brownfield,

The House then proceeded to the election of an Assistant Clerk.

Mr. Brownfield put in nomination the name of G. Ford.

Mr. Shead put in nomination the name of D. F. Newsom.

Mr. Foster put in nomination the name of J. W. Johnson.

Upon a vote being taken, the following was the result:

G. Ford received.....	4
D. F. Newsom received.....	15
H. Burr received.....	2
J. W. Johnson received.....	1
Whole number of votes cast.....	22

D. F. Newsom therefore having received a majority of all the votes cast, was declared duly elected Assistant Clerk of the House.

On motion,

The House now proceeded to elect a Sergeant-at-Arms.

Mr. Smith put in nomination the name of J. D. Park.

Mr. Weed put in nomination the name of J. Summers.

Mr. Judson put in nomination the name of David Shelton.

Mr. Chenoweth put in nomination the name of S. D. Williams.

Mr. Short put in nomination the name of J. V. Crawford.

Upon a vote being taken, the following was the result:

J. D. Park received.....	10
J. Summers received.....	4
David Shelton received.....	2

S. D. Williams received	8
J. V. Crawford received	0
Blank	
Whole number of votes cast	Speaker.

Neither candidate having received a majority of the votes cast, the House now proceeded to a second vote, and the result was as follows:

J. D. Parks received	17
J. Summers received	8
S. D. Williams received	3
Whole number of votes cast	28

J. D. Parks having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms of the House.

On motion,

The House now proceeded to the election of Doorkeeper.

The names of Burbey, Shelton, Crawford, Mounts and Harker having been severally placed in nomination,

The House proceed to a vote, and the following is the result:

J. Burbey received	8
Shelton received	2
Crawford received	11
Mounts received	2
Harker received	5

There being no majority of votes cast for either candidate, the House proceeded to a second vote, and the following is the result:

J. Burbey received	5
Crawford received	14
Harker received	9

There being no majority for either candidate, the House proceeded to a third ballot, and the result was as follows:

J. Burbey received	4
Crawford received	16
Harker received	8

J. V. Crawford having received a majority of all the votes cast, was declared duly elected Doorkeeper of the House.

Message from the Council by their Clerk :

J. T.

D. F.

Blank instructed by the Council to inform the House, that the Council is now permanently organized by the election of the following officers: Hon. H. J. G. Maxon, President; Andrew J. Moses, Chief Clerk; James B. La Du, Assistant Clerk; T. J. Fletcher, Sergeant-at-Arms; and John Aiken, Doorkeeper; and are ready to proceed to business.

ANDREW J. MOSES,

Chief Clerk.

The Honorable Secretary of the Territory being present, upon invitation, administered the oath of office to the officers elect.

Upon motion, the Clerk was instructed to inform the Council, that the House having organized is now ready to proceed to business.

Message from the Council by their Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House, of the appointment of a committee on the part of the Council, to act with a similar committee that may be appointed on the part of the House, to wait on the Governor, and inform him that the Legislature is now organized and ready to proceed to business; and that they have appointed Messrs. Biles and Caples on said committee on the part of the Council.

ANDREW J. MOSES,

Chief Clerk.

Mr. Wood moved that a committee of three be appointed to wait upon the His Excellency the Governor, and inform him that the Legislature is now organized and ready to receive any message he may be pleased to offer.

Carried.

The Speaker appointed Messrs. Wood, Tennant and Miles said committee.

Mr. Tennant moved that the House adopt the rules and orders of the last session of said body for the temporary government of the House.

Carried.

On motion of Mr. Chapman,

The Sergeant-at-Arms was instructed to procure thirty copies of the

rules and orders of the House at session of 1858-9 for the members of the present body.

Mr. Brownfield moved that a committee of five be appointed to draft rules and orders for the government of the House at its present session.

Carried.

The Chair appointed Messrs. Brownfield, Knapp, Van Valzah, Shead and Ferguson said committee.

On motion of Mr. Wood,

The House adjourned till to-morrow morning at 10 o'clock.

J. T. TURNER,

Chief Clerk.

WEDNESDAY, December 7, 1859.

House met pursuant to adjournment.

Upon calling the roll, the following members answered to their names:

Messrs. Brownfield, Chapman, Ferguson, Foster, Gile, Jackson, Judson, Knapp, McCall, Miles, Savage, Shaffer Shead, Shelton, Shockley, Short, Simmons, Smith, Swindall, Tennant, Van Valzah, Webster, Weed, Willard, Wood, Yantis, and Mr. Speaker.

Messrs. Chenoweth and Henness absent.

Journal of Monday and Tuesday read and approved.

Report from Select Committee :

Mr. Wood, Chairman of a select committee, appointed to wait upon His Excellency the Governor, submitted the following report:

MR. SPEAKER :

The Committee appointed to wait upon His Excellency the Governor, and inform him that both branches of the Legislative Assembly had organized, and were prepared to receive any communication he had to

make, have instructed me to report that they have discharged that duty, and that His Excellency will send in his message this day.

WILLIAM H. WOOD,
Chairman.

Mr. Brownfield, Chairman of the Committee on Rules and Orders, made the following report:

MR. SPEAKER :

The Committee on Rules and Orders have requested me to report, and ask the adoption of the rules and orders of this House at its last session, except that "one day" shall be inserted after the word "without," in the forty-third rule.

B. F. BROWNFIELD,
Chairman.

On motion, the report was adopted.

Mr. Miles moved that the Sergeant-at-Arms be instructed to procure copies of the laws, and furnish the same to the respective standing committees of the House.

Carried.

On motion of Mr. Simmons,

The Sergeant-at-Arms was instructed to procure forty copies of rules orders for the members of this House.

Carried.

Upon leave being granted,

Mr. Wood introduced the following resolution :

Resolved, That the Sergeant-at-Arms be instructed to furnish each of the members and officers of the House with six copies of the *Pioneer and Democrat* and *Puget Sound Herald*.

Which was read, and adopted with the following amendments:—
Strike out the word "and" after "*Democrat*" and insert the word "or;" and also to add after the last word "*Herald*," "each member to take all or part from either office."

Governor's Message, by his private clerk, Mr. Gholson; which was ordered by the Chair to be read:

GOVERNOR'S MESSAGE.

*Gentlemen of the House of Representatives
of Washington Territory:*

Congratulating you upon the favorable auspices under which you have again assembled, it is with pleasure that I am enabled to say, that while peace reigns, health is universal, and plenty has crowned the labors of the husbandman throughout our borders.

But in the midst of these felicitous circumstances, it is my painful duty to announce that he who last addressed you upon a similar occasion, "has gone to that bourne from whence no traveller returns." The Hon. CHARLES H. MASON is no more! Wise beyond his age, in his death the Territory has lost one of its ablest statesmen and devoted defenders—society a bright ornament, and mankind a great benefactor. Devoted to the land of his adoption, liberal, just, educated and refined, he has fallen in the bloom of his youth—in the prime of his manhood. Living, he was beloved by all, so he died lamented. Ever striving to emulate his many manly virtues in our hearts, let us embalm a kindly recollection, and each drop a tear to his memory.

Regretting my limited acquaintance with the country, and the wants of our people, in accordance with the usage of my predecessors, I now proceed to make some suggestions, and impart such information as my brief residence in the Territory has enabled me to acquire.

During the month of September last, the Capitol building was in great danger of destruction from fire in the surrounding woods. The removal of the fallen timber and other rubbish would guard against future similar dangers, facilitate access, and much improve the appearance of the public grounds, for which a small appropriation is suggested.

In relation to the title of the Capitol and Penitentiary grounds, nothing has reached this office since your last session. An early adjustment of title, and erection of buildings is very desirable. The present edifice is unsuited for the business of legislation, and while labor in the Penitentiary would promote the health and comfort of the convicts, their confinement therein, would relieve the several counties of the burthen (always onerous) of supporting them *after* conviction.

Greatly to the injury of our commerce, the lights have recently been discontinued in the Light House at Shoalwater Bay. Gray's Harbor has not yet been surveyed. This should be done at an early day; a light placed at its entrance, and buoys in the channel. The attention of the proper department should immediately be called to these matters.

Recent occurrences cannot have failed forcibly to impress upon all, the defenceless condition of our entire coast. The early adoption of measures

for its defence, can hardly be too urgently pressed upon the general government; and the first step in this direction should be an exchange of the duties now performed by the *Shubrick* and *Massachusetts*. The want of celerity of motion, and great draft of water, renders the latter wholly unavailable for efficient service against the Northern Indians, to which the former is admirably adapted.

For a brief space, "a speck of war" hung, meteor like, upon our northern border; but thanks to wise heads and humane hearts, it is now below the horizon, and 'tis hoped will rise no more.

Descended from a common stock—speaking the same language; fraternal feeling—good neighborhood—interest and humanity—each forbade the threatened contest. Now, that the danger is past, (while duly appreciating the high-toned patriotism and chivalry which seemingly exceeded "the rigid rules of right," but which most certainly, by procuring a speedy adjustment of the long vexed question of title, will result in good to the country,) let us, henceforth, imitate the generous example of forbearance see us; cultivate reciprocal amenity, promote commerce, and scrupulously regard the rights of our British neighbors.

Charged with the duty of "taking care that the laws be faithfully executed," the late order of Gen. Scott directing the military commander on San Juan Island "to allow no person, claiming to be a functionary of *Washington Territory*, to interfere with any *British subject residing or happening to be on the same*," was to me a matter of no small surprise and regret.

Subverting *all Territorial*, and usurping as it does, *SUPREME authority*, it is in effect, so far as violations of our laws by British subjects are concerned, not only a declaration of "martial law" upon that Island, but a usurpation of *our* rights, of precisely the same character of those alledged against us by the British authorities, which he professed to be restoring to them; and is a reversal of the fundamental principles of our government, and the genius of our institutions, which require that the *military* shall everywhere, and at all times be *subordinate* to the *civil* power. Not believing it possible that the instructions to Gen. Scott could have authorized or contemplated such a proceeding, a communication, (among other things,) protesting against this order, and asking its abrogation, has been forwarded.

Immediately upon learning the concessions made in reference to the occupancy of the Island, the Territorial officers there were urged to respect the rights of British subjects, and the course thought proper, in case of a violation of our laws by the latter, suggested and its adoption advised. Relying upon the well known intelligence of our officials there, (both

military and civil,) it is hoped no collision growing out of the obnoxious order will occur.

That under any *fair* construction of the treaty, the Island is ours, is regarded as beyond a doubt. Hence no fears of its final surrender are entertained.

Whether any legislation is necessary for the preservation of peace, and to uphold the integrity of the Territory, pending the joint occupancy, is respectfully submitted to your superior wisdom.

From a statement furnished by the Surveyor General, it appears that the "number of miles under contract at the beginning of the present surveying season, was..... 2,764

No. of miles, Meridian and standard parallel lines surv. 150

No. of exterior and sub-divisional lines.....2,232

Total..... 2,383

No. of miles under contract remaining unsurveyed..... 365

No. of acres surveyed during the year.....620,000

No. of acres surveyed in the Territory.....2,040,969

The surveys executed during the past year have been chiefly upon the peninsula in the vicinity of Teekalet; along the shores of Puget Sound; from Seattle to Puyallup Bay; on Bellingham Bay, and Gulf of Georgia; Comono, and Whidby's Island; the lower Chehalis; the level lands to the north and east of Gray's Harbor, and the Columbia River bottom in the vicinity of the Cascades.

The Puget Sound guide meridian has been extended north to within a few chains of the northern boundary, and standard parallels run therefrom to the Gulf of Georgia and Rosario Straits.

The estimate of surveys for the next year includes 1600 miles of exterior and sub-divisional lines west of the Cascade mountains, and 400 miles of meridian and standard parallel, and 2000 miles exterior and sub-divisional lines east of the same.

It is expected that the initial surveys east of the Cascades, consisting of a meridian and standard parallels, will be commenced early in the spring."

From a statement of the Register of the Land Office, it appears that in the aggregate, fifteen hundred and fifty-five donation and three hundred and fifty-two pre-emption claims have been filed, and there are about two hundred settlers claiming under the pre-emption laws upon lands not yet surveyed.

The Receiver reports that twenty-four persons claiming under the donation laws, taking in the aggregate, four thousand two hundred and

fifty-two acres, and paying therefor, five thousand three hundred and twenty-five dollars, (\$5,325,) and twenty-five pre-emption claimants, taking two thousand nine hundred and twenty acres, and paying three thousand six hundred and forty dollars, (\$3,640,) and twenty-four of the latter class, taking four thousand one hundred and five acres, paying in land warrants, have availed themselves of the privilege of entering their lands.

Some remarks upon the finances of the Territory, and defects in existing laws, were intended, but unable to procure the data necessary to their profitable discussion, I have thought proper to omit them. Your attention is, however, particularly called to the report of the Auditor, upon the laws, &c., connected with his duties.

The importance of the military road now being constructed from the Walla Walla to Fort Benton on the Missouri, as a stage route and a route for emigration, can scarcely be over-estimated by our fellow-citizens.

This work, under charge of its efficient superintendent, (Lieut. Mullan, assisted by Capt. DeLacy,) is now favorably located to the valley of the Bitter-root, and during the next spring and summer, will be pushed on to the Missouri. And with an extension west from Walla Walla to the Sound, will, in connection with the road from St. Paul to Fort Benton, afford a direct route for immigration or other travel to our Territory.

The explorations of Lieut. Mullan have developed large bodies of fine farming and grazing lands, hitherto unknown, and a route thus far practicable for a Railroad. During the present winter, observations will be made upon the climate, and information, necessary to determine the further practicability of the route for that purpose through the mountain passes, obtained.

Lieut. Mullan proposes to explore a route from Hell's-gate, in the Rocky Mountains, to Fort Laramie, with a view to the construction of a road to that point; there to receive the immigration coming up the Platte, and afford them a route to our Territory and Northern Oregon, some four hundred miles nearer than by way of Salt Lake.

To complete these roads will require an additional appropriation, for which a memorial is recommended.

Before taking leave of this subject, it is due to the present able and distinguished commander of the Military Department of Oregon, to acknowledge the efficient disposition made of the forces under his command. In addition to the admirable arrangements for the opening of roads and the protection of our widely dispersed population; to his timely movement of troops to the Salt Lake road, a large body of emigrants were indebted for protection to their lives and property, and our Territory for a handsome addition to its population, (which would otherwise, of ne-

cessity have gone south,) and should he be continued in command, affords just ground for confident hope that *Indian depredations* upon the emigrant in Washington and Oregon *are at an end*.

Without going into detail, it is deemed sufficient to say that I heartily concur in the recommendations of my immediate predecessor, (Governor Mason,) as to the necessity for placing the Indian tribes upon reservations; the appointment of a separate superintendent of Indian affairs for this Territory. The total extinguishment of all claims of the Puget Sound Agricultural Company, (those of the Hudson's Bay Company having expired with its Charter;) the creation and location of additional land offices; for additional roads through the Territory; a national coal depot in our waters; additional lights in the Sound; and upon the subject of land patents from the general government. Your attention is again respectfully called to his views upon each of these subjects.

The public arms are in excellent condition, and with those received the present season, are as follows: 194 rifles; 84 rifle-muskets; 37 small arms, (damaged;) 660 muskets; 4 carbines; 4 howitzers, with fixtures complete; 15 sabres. In addition to these, 1088 have been distributed to the Counties.

Upon looking into the past history of the Territory, knowing that all similar (and often less meritorious) claims have heretofore been paid, (to the disinterested observer,) few things are more surprising than the delay of the general Government in the payment of the "war debt." Aware, however, of the superior personal knowledge of yourselves, and relying upon the thorough amplification of the subject in all its bearings hitherto made; and believing that its *early payment* is among the things that **MUST** be; the undersigned will waive all discussion and pass from it, with a friendly warning to those holding *just* claims *not* to sacrifice them; adding that its payment should be persistently demanded (respectfully of course) until justice shall be done.

Upon the subject of a "Pacific Railroad," so much, and by such able pens, has been already written, that anything farther by one so humble as myself, if not superfluous, can be little more than a waste of time and paper. But gentlemen, upon a subject like this, a measure upon the consummation of which so greatly depends not only the convenience, prosperity, and happiness of its citizens, the development of the Territory for all time to come; the protection of our lives and property against a foreign foe; but also the power of our Government to retain this as an integral portion of the Union, or continue over us the bright banner of liberty, what patriot can afford to be silent; and when we remember that upon these hang all our hopes for the enjoyments of life, and much, very much of the commercial, and maritime power of the

nation, (for it will surely be conceded by those acquainted with it, that in this last point of view, this Territory is of more importance than was originally the same extent of space in all our vast domains,) who among us all, that upon a measure involving consequences such as these, does not feel an ardent desire to cast his mite, however small, into the general receptacle of information and suggestion? There can be none among us who do not feel that this great work ought to be done; few that do not believe it will be done. The word *fail* is fast passing from our national vocabulary, is being supplanted by "when there is a will, there is a way." Upon no object, however great, has the *united* will of the nation hitherto failed of accomplishment. Then the *way*, the *best* way, is the paramount question. Divisions, and these divisions over a *one* road idea, have heretofore delayed the commencement of this transcendantly important work; one party being for a Southern, another for a middle, and a third for a Northern road. This is believed to be all wrong. The idea of concentrating all the trade and travel of the Atlantic, from the Gulf of Mexico to the Arisook, and that of the Pacific from the Gulf of Georgia to that of California, is worse than futile. The people are not likely, never ought, to agree to the proposition; neither would it meet their wants should they do so. To supply these we must have two, a Northern and a Southern road.

Should however the one road idea prevail, we are not without the best reasons for hope of a terminus within our borders. Its nearly central position renders St. Josephs, on the Mississippi river, the most probable initial point for the Eastern terminus. Thence (being west, a little north) its facility for cheap construction, must locate the eastern portion up the valley of the Platte to the South Pass, from which the only reasonably practicable route west, (as was recently admitted in a somewhat notable meeting of those whose *interests* would be *best* promoted by a *central* road,) is to cross the head of Green River to, and take the Valley of Snake River. Then the great (national) object being to reach the Pacific, (not a particular point on it,) by the nearest and cheapest route; once *in* the valley of that stream, the reasons for following the Platte, (cheapness and facility of construction, arising from level surface, abundant supply of water, and water transportation for cross ties and other materials,) to which must now be added, the immense advantage of the well known exemption of the valley of that stream (Snake river) from the snows of winter, as compared with this dangerous element of obstruction, always found on the mountains either north or south of it, would operate with tenfold force in favor of a continuance of the road down the valley of Snake river to the mouth of Burnt river; thence up the latter to the head of Powder river, (ascertained to be a good route,)

and down its valley and that of the Columbia to a terminus at the head of tide water, and perhaps to the Sound.

These positions are undeniably true, and show that if economy decides the location, our Territory will in all probability be the recipient of the western end, as it certainly will be, should there be two roads. For the latter, the Creator seems to have disposed both the earth's surface and the elements far better, than for one, even approximately central; for, while the Northern route, after passing over an immense and gently undulating plain, reaches the Rocky Mountains, and thence (if by way of the Columbia,) with scarce a tunnel the entire route to the Sound; and the Southern, free from the snows of winter, finds nothing in all its long line equal to that which has already been often surmounted in the old States. The Central is known to be obstructed by high, precipitous, and most difficult mountains, on which snow to the depth of fifteen to twenty feet annually accumulates, which, lying as it frequently does for many consecutive months would for the time render railroad traveling impossible. Thus do we find both the elements and the earth's surface in singular unison with the wants and the interests of our wide-spread population, and each in its turn, like the buoy in the channel, or the light upon the strand, with unerring certainty, indicating not only the propriety *of*, but the necessity *for two* great highways from ocean to ocean.

But to two roads it may again, as it has heretofore been objected, that we have not the surplus hands, nor at present prices, it is probable we could not command the funds necessary to build two such immense lines of road. If so, the answer is ready—the remedy is easy, and the way to a supply of labor both bountiful and cheap, is plain.

Bury the mischievous "Sam" beyond the reach of resurrection. Throw wide the portals of the Union. Not only invite hither, but, in connection with our commerce, provide transportation for the redundant, half-fed and less than half-paid millions of the "old world;" assure them of protection by our laws, and profitable employment; and as the oaks in the forest, so will be the hardy sons of toil, who will cross the Atlantic and build the eastern ends of your roads; and myriads of the sallow, but patient and sturdy "John Chinamen," with others of his caste, will cross the Pacific and build the western ends, and lapping over the great divide, in the valley of the noble Missouri in the north, and that of the Rio Grande in the south, weld the last links in the most important highways ever built by man. To initiate these, fraternal liberality and justice in the legislation of Congress, is all that is necessary. Let the North say to the South, (or *vice versa*,) "locate and build your road where you wish; permit us to do the same. We will give you all the aid within the constitutional limits of our power, and only ask a reciprocity at your hands."

Upon principles such as these, is it believed this great work is likely ever to be commenced, and thus, and thus only can the paramount interests of the nation be subserved, and thus alone, can the great American heart be satisfied.

Once completed, commanding the commerce of the Indies, developing our vast interior, affording equal facilities to all sections, these roads will bind together this Union as with adamant chains, and the multitude (for their construction drawn into our midst) will ere long fill that mighty wilderness, now the abode of the beast and the savage, from the Mississippi to the Pacific, with farms, villages, towns and cities,—with millions of free and happy people, who in the full enjoyment of our noble institutions, while making the valley broad and mountain high redolent with the music of the lowing herd, the anvil, the plough, and the plane, will be a tower of strength and bulwark of national defence, against which in vain may tyrants thenceforth hurl their anathemas, and launch forth their bannered hosts, only to be discomfited, routed and slain.

As a fore-runner of these great enterprises, an "Overland Mail" in four horse coaches upon the Northern route, would not only facilitate their inauguration, but also the convenience of the traveling community, our own citizens, the transmission and reception of mails, and would also materially aid in the development of our extensive interior.

Very important also is a similar mail line from the Capital of this Territory, through Oregon, to the capital of California. These are suggestions as proper subjects for urgent memorial.

While these bright prospects of a glorious future—the material prosperity of our Territory and of the nation at large—call for the most sincere thanks of all, and to the world, this Union presents the prodigy of but the other day a mere handful of three millions, already grown in all the elements of national greatness, one of the most powerful governments of the times; yet, to the lover of his country, the aspect of our national politics is far from encouraging—a dark cloud is gathering over the horizon. Proclamations of treasonable purposes pass unrebuked. Men in high places, alike in the South, and the North, in their discussions upon slavery, declare their purpose upon the *happening* of *one*, or the *not* happening of another contingency to dissolve the Union. Men signally favored by their fellow-citizens, and still more favored by the gifts of Omnipotence, *desecrate* the post of honor, and bring all their mental powers into requisition for the destruction of this, the most perfect political fabric ever invented by human wisdom.

Time was, when those who should have proclaimed such purposes would have been hissed, driven from the rostrum, and sunk beneath the patriotic scowls of an indignant people. But alas! those halcyon days

are fast passing away, and the apparent pleasure with which such sentiments are now tolerated is an omen that augurs ill for the perpetuity of our national existence. Admonished by these premonitions,—seeing in the late tragical insurrection at Harper’s Ferry, Va., the maturity of a portion of the legitimate fruits of tolerating these seditious sentiments, and the discovery of a wide spread sympathy with, if not actually participation in, that treasonable transaction, and desiring above all things the perpetual preservation of this fair confederacy, the undersigned would be deficient in duty should he fail upon this occasion to raise a warning voice. In view of these things, that it is possible for misguided philanthopists (unacquainted with the practical operations of slavery and the remedy for its alledged evils) aided on the one hand, by those who *live* by slavery agitation in the free states, and the over zealous, the indiscreet, and too often reckless Southrons on the other, to call down upon the nation that most dire of all political woes, a *dissolution*, cannot be denied.

Yes, “it is possible” that, forgetful of duty, and regardless of consequences, reckless writers, speakers and legislators, may “dissolve the Union.” Seeing then, that there is a possibility, nay, ’tis feared a *probability*, of such an awful catastrophe, let us in this embryo State, beware of the hydra-headed monster dissolution, and at once, as faithful sentinels, take our stand upon the watch-tower of liberty, and by our devotion to the Constitution and the Union—the rich legacies our forefathers bequeathed us—prove ourselves worthy sons of the nobles sires; and leaving as they did, unfettered and unmolested, to each political division of the confederacy, (who alone are responisble for them,) the management of its own domestic affairs, imitate their wise, peaceful, fraternal and sublime example. And firmly setting our faces now and forever, against all who would jeopardize, or destroy the palladium of liberty; profoundly thankful for past blessings; fervently beseeching the Almighty ruler of the universe, that its legislation may be always *right*, yet recollecting that to occasionally err has been the unavoidable lot of all mandind; relying upon the sagacity, wisdom and equity of our countrymen; with an abiding faith that ultimate public justice will be done; “clinging to the Constitution and the Union, as the shipwreck mariner clings to the last plank when night and the tempest close around him,” let our motto ever be “THE UNION.”

R. D. GHOLSON.

Olympia, Dec. 7th, 1859.

Mr. Chapman moved that the Governor’s Message be laid on the table, and that 3000 copies be ordered printed.

Carried.

Upon leave, Mr. Wood introduced the following resolution:

Resolved, That the Sergeant-at-Arms be instructed to procure of the Secretary of the Territory, thirty copies of the Journals of the House of Representatives and Council of last session.

Resolution adopted.

When, upon motion of Mr. Tennant,

House adjourned till to-morrow at 10 o'clock.

J. T. TURNER,
Chief Clerk.

THURSDAY, December 8, 1859.

House met pursuant to adjournment.

Upon calling the roll, members all present, except the following :

Messrs. Brownfield, Henness, Judson, Miles, Shead, and Mr. Willard—7.

Journal of yesterday read and approved.

The Speaker here announced the following standing committees:

Elections—Messrs. Webster, Yantis, and Smith.

Ways and Means—Messrs. Wood, Shockley, Smith, Henness, and Foster.

Education—Messrs. Henness, Ferguson, Chapman, and Judson.

Judiciary—Messrs. Chenoweth, Tennant, Miles, Willard, Brownfield, McCall, and Shaffer.

Memorials—Messrs. Tennant, Van Valzah, Short, Wood, Miles, and McCall.

Claims—Messrs. Jackson, Foster, Shead, Gile, and Savage.

Military Affairs—Messrs. Shaffer, Shockley, Van Valzah, Wood, McCall, and Henness.

Roads and Highways—Messrs. Knapp, Shelton, Chapman, Foster, Gile, and Ferguson.

Engrossed Bills—Messrs. Swindall, Short, Judson, and Shead.

Enrolled Bills—Messrs. Brownfield, Simmons, and Henness.

Indian Affairs—Messrs. Miles, Yantis, Chapman, Smith, and Tennant.

Commerce—Messrs. Gile, Van Valzah, Weed, and Swindall.

Printing—Messrs. Van Valzah, Shead, McCall, and Shockley.

Corporations—Messrs. Simmons, Webster, Judson, and Shaffer.

Counties—Messrs. Ferguson, Webster, Swindall, Shockley, Smith, Jackson, and Shelton.

Rules and Orders—Messrs. McCall, Weed, Foster, and Savage.

Agriculture—Messrs. Judson, Chenoweth, Yantis, and Short.

Public Grounds and Buildings—Messrs. Willard, Judson, Chapman, and Knapp.

Territorial Library—Messrs. Smith, Shelton, and Gile.

Mr. Van Valzah arose and announced that he would offer a resolution to-morrow, asking an abrogation of certain rules and orders of the House.

Mr. Miles announced that he would on the morrow, introduce a bill for the "Creation and organization of Harney County."

Upon leave, Mr. Wood introduced the following—

H. B., No. 1.—An act to amend an act, entitled, "An act to change the time of holding the County Commissioners' Court."

Which was read a first time, and laid upon the table to be printed.

On motion of Mr. Wood,

The House resolved itself into a committee of the whole, to take into consideration the Governor's Message.

Mr. Tennant in the chair.

After some time spent therein, the committee arose and through their chairman reported progress, and begged leave to sit again.

Mr. Speaker in the chair.

When, on motion of Mr. Chenoweth,

The House adjourned till to-morrow at 10 o'clock, A. M.

J. T. TURNER,
Chief Clerk.

FRIDAY, December 9, 1859.

House met pursuant to adjournment.

Upon calling the roll, the following members answered to their names:

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Jackson, Judson, Knapp, McCall, Miles, Savage, Shead, Shelton, Shockley, Short, Simmons, Smith, Webster, Weed, Willard, Wood, Yantis, and Mr. Speaker—24.

Absent—Messrs. Henness, Shaffer, Swindall, Tennant, and Van Valzah—5.

Journal of yesterday read and approved.

Mr. Wood offered the following resolution:

Resolved, That a committee of three be appointed to wait upon the Secretary, and request him to furnish each of the standing committees with a copy of the statutes of February, 1854.

Resolution read and adopted.

And the Chair appointed Messrs. Wood, Shead and Gile said committee.

Mr. Webster introduced the following resolution:

Resolved, That the Sergeant-at-Arms be instructed to procure two

maps of this Territory, with all the latest delineations, (including county lines distinctly marked,) for the use of this House.

Which was read, and

On motion of Mr. Chenoweth,

Referred to a committee of three, consisting of the following members, to-wit: Messrs. Webster, Miles and Smith,

Who were instructed to report to the House on Monday morning.

Upon leave, Mr. Brownfield introduced the following resolution:

Resolved by the House of Representatives of the Territory of Washington, That the Sergeant-at-Arms be, and is hereby, directed to call on and request the Honorable Secretary to furnish each member of this House with the following items of stationery, to-wit: Official envelopes, sealing wax, wafers, one bottle of mucilage, red and blue ink, pen racks, patent pencil sharpeners, paper rules, paper folders, red tape, one journal (large) for the use of the clerk.

Which was lost.

Mr. Van Valzah, upon leave, introduced the following resolution:

MR. SPEAKER :

I move that the Committee on Printing be instructed to amend Rule No. 33, by striking out all of said rule after the word "alphabetically, and insert the following: "The ayes and nays may be taken upon the call of any member."

(Signed)

J. M. VAN VALZAH.

Resolution read, and lost.

Mr. Chapman moved that when the House adjourn, it adjourn till Monday morning, Dec. 11th, at 10 o'clock.

Carried.

Upon leave, Mr. Shead offered the following resolution:

Resolved, That the Committee on Printing be instructed to procure the printing of all bills, memorials and resolutions in possession of this House on their first reading.

Which was read and adopted.

Mr. Wood moved that H. B., No. 1—"An act relative to the time

of holding County Commissioners' Courts," be taken from the table, and be assigned as the time for its second reading.

Motion withdrawn.

Upon leave, Mr. Tennant introduced—

H. B., No. 3—"An act to dissolve the bonds of matrimony existing between William W. Davis and Alice Davis."

Which was read a first time and laid upon the table to be printed.

On motion of Mr. Tennant,

The House now resolved itself into a committee of the whole, to resume the consideration of the Governor's Message.

Mr. Tennant in the chair.

The committee, after having had the Governor's Message under consideration for a considerable length of time, arose, and through their chairman submitted the following report:

Mr. Speaker in the chair.

MR. SPEAKER :

The Committee of the Whole, having had under consideration the Message of His Excellency the Governor, beg leave to report as follows:

Ordered, that so much of the Message as relates to the capitol, be referred to the Committee on Public Buildings.

So much as relates to the title to capitol and penitentiary grounds, be referred to the Committee on Judiciary.

So much as relates to penitentiary buildings, be referred to the Committee on Public Buildings.

So much as relates to lighthouses and buoys, be referred to the Committee on Commerce.

So much as relates to the *Massachusetts* and *Shubrick*, be referred to the Committee on Memorials.

So much as relates to the occupation of San Juan, be referred to the Committee on Military Affairs.

So much as relates to public lands and surveys, be referred to the Committee on Memorials.

So much as relates to Lieut. Mullan's survey, be referred to the Committee on Roads and Highways.

So much as relates to appropriation for Lieut. Mullan's survey, be referred to the Committee on Memorials.

So much as relates to Indians and Indian tribes, be referred to the Committee on Indian Affairs.

So much as relates to the Puget Sound and Hudson Bay Companies, be referred to Committee on Corporations.

So much as relates to the northern overland mail route, be referred to the Committee on Memorials.

So much as relates to the California mail route, be referred to the Committee on Memorials.

So much as relates to the war debt, be referred to the Committee on Memorials.

Ordered, that the Committee rise and report, and as ask to be discharged.

Respectfully submitted,

JOHN A. TENNANT,

Chairman.

Which, upon motion of Mr. Chapman,

Was adopted, and the committee were discharged from further consideration of the subject.

Mr. Chenoweth moved that so much of the Governor's Message as relates to Gen. Scott's order, directing the military commander on San Juan Island, "to allow no person claiming to be a functionary of Washington Territory, to interfere with any British subject residing or happening to be on the same," be referred to a select committee, consisting of three members.

Carried.

And the Chair appointed Messrs. Chenoweth, Tennant and Simmons said committee.

When, on motion of Mr. Short,

House adjourned till Monday, Dec. 12th, at 10 o'clock, A. M.

J. T. TURNER,

Chief Clerk.

MONDAY, December 12th, 1859.

House met pursuant to adjournment.

Upon calling the roll, the following members answered to their names:

Messrs. Brownfield, Chapman, Ferguson, Foster, Gile, Jackson, Judson, Knapp, McCall, Miles, Shaffer Shead, Shelton, Shockley, Short, Simmons, Smith, Tennant, Webster, Weed, Wood, Yantis, and Mr. Speaker—23.

Absent—Messrs. Chenoweth, Henness, Savage, Swindall, Van Valzah, and Mr. Willard—6.

Mr. Willard absent on account of illness.

Journal of Friday read and approved.

Upon leave, Mr. Webster offered the following report:

MR. SPEAKER :

The committee to whom was referred the resolution referring to maps of the Territory for the use of this House, beg leave to report, that the Secretary has ordered one for this House, which will be ready by Saturday next.

JOHN WEBSTER,
Chairman.

Which was read, and

On motion of Mr. Tennant,

Adopted, and committee discharged.

Upon leave, Mr. Ferguson introduced—

H. B., No. 4—"An act to create and organize the County of Klickitat."

Bill read a first time, and laid upon the table to be printed.

Upon leave being granted, Mr. Smith introduced—

H. B., No. 5—"An act conferring jurisdiction upon the District Court of Walla Walla."

Bill read a first time, and laid upon the table to be printed.

Upon leave, Mr. Foster introduced—

H. M., No. 1—"Relative to the establishment of a military road from Seattle, on Puget Sound, *via* Snoqualmie Pass, to Fort Colville."

Memorial read a first time, and laid upon the table in order to be printed.

Upon leave, Mr. Knapp introduced—

H. B., No. 6—"An act to amend an act, entitled, 'An act relating to elections and the mode of supplying vacancies.'"

Bill read a first time, and laid upon the table to be printed.

Upon leave, Mr. Smith introduced—

H. B., No. 7—"An act authorizing Richard C. Reigart to establish a ferry on the Columbia river, in Spokane County.

Bill read a first time, and ordered to be printed.

Message from the Council by their Clerk :

MR. SPEAKER :

I am instructed by the Council, to inform the House of the introduction and passage of C. B., No. 1—"An act to authorize Joseph Eaton to establish a ferry across the Cathlapoodle river, in Clarke County."

Also, of the introduction and passage of C. B., No. 2—"An act to amend an act, entitled, an act additional to an act to amend an act, entitled, 'an act establishing a common school system in the Territory of Washington.'"

Also, of the introduction of C. B., No. 3—"An act to locate a Territorial road from Monticello to the Upper Cascades.

ANDREW J. MOSES,

Chief Clerk.

Upon leave, Mr. Wood introduced the following resolution:

Resolved, That the Secretary be, and he is hereby, requested to furnish a new journal for the use of the House.

Which, upon motion of Mr. Brownfield,

Was adopted.

Second reading of bills.

H. B., No. 2—"An act creating and organizing the County of Harney"—coming up in its regular order, Mr. Tennant moved an indefinite postponement of the bill.

Pending which motion, Mr. Miles moved to amend, by postponing said bill to a day certain—one week from to-day.

Amendment received.

Carried.

Second reading of H. B., No. 3—"An act to dissolve the bonds of

matrimony heretofore existing between William W. Davis and Alice Davis.

Mr. Wood moved its reference to the Committee on Military Affairs.
Lost.

On motion of Mr. Miles,

The House now resolved itself into Committee of the Whole, to take into consideration said H. B., No. 3,

With Mr. Ferguson in the chair.

Mr. Speaker in the chair.

The Committee through their chairman, Mr. Ferguson, submitted the following report:

MR. SPEAKER :

The Committee of the Whole, having had under consideration H. B., No. 3—"An act to dissolve the bonds of matrimony heretofore existing between William W. Davis and Alice Davis"—have instructed me to report the bill back to the House, and recommend its passage.

JAS. L. FERGUSON,

Chairman.

Report accepted, and the Committee were discharged from further consideration of the subject.

Mr. Brownfield moved that H. B., No. 3, be considered as engrossed, and that now be assigned as the time for its third reading.

Carried.

Mr. Wood moved that the third reading of said bill be deferred until the 12th day of January, 1860.

Lost.

Bill read a third time,

And the question being upon the final passage of the bill, the ayes and nays were demanded by Mr. Wood, and the following is the result:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Ferguson, Foster, Gile, Jackson, Judson, McCall, Miles, Shelton, Shockley, Short, Simmons, Smith, Swindall, Tennant, Webster, and Mr. Speaker—18.

Those voting in the negative, were—

Messrs. Knapp, Shaffer, and Wood—3.

So the bill passed, and title agreed to.

Upon motion, C. B., No. 2—An act to amend an act, entitled, an act additional to an act establishing a common school system for the Territory of Washington,”

Was now taken up and read a first time, and laid over.

C. B., No. 1—“An act to authorize Joseph Eaton to establish a ferry across the Cathlapoodle river, in Clarke county,”

Was taken up and read a first time.

Mr. Knapp moved that the rules be suspended, and that the bill be read a second time now by title.

Carried.

And the bill was so read.

Mr. Miles now moved that C. B., No. 1., be considered as engrossed, and that now be assigned as the time for the third reading.

Carried.

And the bill read a third time and passed, and title agreed to.

Mr. Swindall moved that when the House adjourn, it adjourn to meet at 1 o'clock, P. M.

Lost.

Upon leave, Mr. Miles introduced the following resolution:

Resolved, That a committee of three be appointed, to inquire into the expenditure of the amount of money appropriated by Congress for defraying the expenses of the Legislative Assembly of Washington Territory, for the years 1859–60.

Resolution adopted.

And the Chair appointed Messrs. Miles, Shockley and Jackson said committee.

When, on motion of Mr. Tennant,

The House adjourned till to-morrow at 10 o'clock, A. M.

J. T. TURNER,

Chief Clerk.

TUESDAY, December 13th, 1859.

House met pursuant to adjournment.

Upon calling the roll, the following members answered to their names:

Messrs. Brownfield, Chapman, Ferguson, Foster, Gile, Jackson, Judson, Knapp, McCall, Miles, Shead, Shelton, Shockley, Short, Simmons, Smith, Swindall, Tennant, Van Valzah, Webster, Weed, Willard, Wood, Yantis, and Mr. Speaker—25.

Absent—Messrs. Chenoweth, Henness, and Shaffer—3.

Journal of yesterday read and approved.

Upon leave, Mr. Gile introduced—

H. B., No. 8—“An act to dissolve the bonds of matrimony between Charles Green and Cathrine W. Green.”

Bill read a first time, and laid over to be printed.

Upon leave, Mr. Weed introduced—

H. M., No. 2—“Relative to the survey of public land in Washington Territory.”

Memorial read a first time.

Mr. Wood moved that the rules be suspended, and that the memorial be read a second time.

Carried.

Mr. Wood moved a further suspension of the rules, and that the memorial be considered as engrossed, and that it be read a third time now.

Carried.

Memorial read a third time and passed.

Mr. Chapman moved a call of the House.

Carried.

And upon calling the roll, Messrs. Chenoweth, Henness and Shaffer were found absent.

Mr. Tennant moved that a further call of the House be dispensed with.

Lost.

Whereupon, the Chair ordered the Sergeant-at-Arms to bring in the absent members.

Mr. Shaffer: here coming forward,

On motion of Mr. Tennant,

A further call was dispensed with.

Upon leave, Mr. Biles introduced—

A petition praying the Legislative Assembly to dissolve the bonds of matrimony existing between Bridget M. Donnelly and William Donnelly.

Mr. Wood moved that the House now resolve itself into Committee of the Whole, to take into consideration the petition of Bridget M. Donnelly.

Lost.

Upon motion, the Clerk was instructed to read the petition of Bridget M. Donnelly, as also other papers accompanying the same.

Mr. Swindall moved that a further reading of the matter in relation to said petition be dispensed with.

Carried.

On motion of Mr. Wood,

The petition of Bridget M. Donnelly, and the accompanying papers, were referred to the Committee on Judiciary.

Upon leave, Mr. Tennant introduced the following memorials:

H. M., No. 3—"Praying Congress for the establishment of an overland mail route from Olympia, *via* the Capitol of Oregon, to the Capitol of California.

H. M., No. 4—"Relative to an exchange of service between the United States war steamers *Massachusetts* and *Shubrick*."

H. M., No. 5—"Relative to an additional appropriation for completing the military road from Fort Walla Walla to Fort Benton."

The above memorials having severally received a first reading,
The rules were suspended, and having been read a second time,
The rules were further suspended, and having been considered as engrossed, were severally read a third time and passed.

Message from the Council by their Clerk :

MR. SPEAKER :

I am instructed by the Council, to inform the House of the passage of C. B., No. 2—"An act to locate a territorial road from Monticello to the Upper Cascades."

ANDREW J. MOSES,
Chief Clerk.

Upon leave, Mr. Van Valzah introduced—

H. B., No. 9—"An act to incorporate Port Townsend Lodge of Free and Accepted Masons."

Bill read a first time.

Mr. Ferguson moved a suspensions of the rules, and that the bill be read a second time now.

Carried.

And bill was read.

Mr. Furgerson moved a further suspension of the rules, and that the bill be considered as engrossed, and that it now receive its third reading.

Carried.

Bill read a third time and passed, and title agreed to.

Upon leave, Mr. Short introduced—

H. B., No. 10—"An act to re-locate the Capitol of Washington Territory.

Bill read a first time.

Mr. Wood moved a suspension of the rules, and that the bill be read a second time now.

Lost—upon the ruling of the Chair that it requires a two-third vote to suspend the rules; and from whose decision,

Mr. Chapman appealed to the House.

The question being shall the Chair be sustained, the ayes and nays were called by Mr. Tennant, and the result was as follows:

Those voting in the affirmative, were—

Messrs. Brownfield, Foster, Gile, Jackson, Judson, McCall, Miles, Savage, Shaffer, Shead, Shelton, Smith, Swindall, Tennant, Van Valzah, Webster, Weed, Willard, and Yantis—19.

Those voting in the negative, were—

Messrs. Chapman, Ferguson, Foster, Knapp, Shockley, Short, and Wood—7.

The Chair was therefore sustained, and the bill laid on the table.

Upon leave, Mr. Smith introduced—

H. B., No. 11—"An act establishing a ferry on Snake river.

Bill read a first time.

Mr. Webster moved a suspension of the rules, and that the bill be read a second time now.

Carried.

Bill read a second time, and

On motion of Mr. Webster,

Was referred to the Committee on Roads and Highways.

Upon leave, Mr. Swindall introduced—

H. B., No. 12—"An act in relation to the measurement of saw logs, spars, &c., by a certain standard.

Bill read a first time.

Mr. Foster moved that the rules be suspended, and that the bill be read a second time now.

Carried.

Bill read a second time, and

On motion of Mr. Webster,

Was referred to a select committee, consisting of the following gentlemen, viz:

Messrs. Webster, Swindall and Tennant.

Upon leave, Mr. Judson introduced—

H. B., No. 13—"An act in relation to estrays and other unclaimed personal property.

Bill read a first time, and laid over.

Upon leave, Mr. Brownfield introduced—

H. B., No. 14—"An act in relation to constituting half-breed children heirs-at-law.

Bill read a first time, and laid over.

Second reading of bills.

H. B., No. 7—"An act authorizing Richard C. Reigart to establish a ferry on the Columbia river, in Spokane County," coming up in its regular order, was read a second time,

And referred to Committee on Roads and Highways.

Mr. Shead moved that H. M., No. 1—"Relative to the establishment of a military road from Seattle, on Puget Sound, *via* Snoqualmie Pass, to Fort Colville," be taken from the table and read a second time.

Carried.

Bill read second time.

Mr. Tennant moved a suspension of the rules, and that the memorial be deemed as engrossed, and that now be assigned as the time for its third reading.

Carried.

Memorial read a third time and passed.

H. B., No. 6—"An act to amend an act, entitled, 'An act relating to elections and the mode of supplying vacancies,'"

Was now read a second time, and

On motion of Mr. Tennant,

Was referred to Committee on Judiciary.

H. B., No. 4—"An act to create and organize the County of Klickat,"

Was read second time.

Mr. Miles moved that the bill be referred to committee on Counties.

Carried.

And the bill was so referred.

H. B., No. 5—"An act conferring jurisdiction upon the District Court of Walla Walla,"

Was taken up and read second time.

And, on motion of Mr. Simmons,

Was referred to Committee on Judiciary.

C. B., No. 2—"An act to amend an act, entitled, an act additional to an act, to amend an act, entitled, 'An act establishing a common school system in Washington Territory,'"

Was taken up and read a second time,

And, on motion, was referred to Committee on Education.

Business from the Council:

C. B., No. 3—"An act to locate a territorial road from Monticello to the Upper Cascades,"

Was read a first time and laid over.

Upon leave, Mr. Brownfield introduced—

H. J. R., No. 1—"Relative to a joint convention, for the purpose of electing certain territorial officers for Washington Territory."

Resolution read a first time.

Mr. Wood moved a suspension of the rules, and that now be assigned as the time for the second reading.

Lost.

And the resolution laid on the table to be printed.

When, on motion of Mr. Foster,

The House adjourned till to-morrow morning at 10 o'clock.

J. T. TURNER,
Chief Clerk.

WEDNESDAY, December 14, 1859.

House met pursuant to adjournment.

Roll called, and all present except the following:
Messrs. Henness, Tennant and Willard.

Journal of yesterday read and approved.

Reports from standing committees:

Mr. Knapp, from the Committee on Roads and Highways, presented the following report:

MR. SPEAKER :

The Committee on Roads and Highways, to whom was referred H. B., No. 11, have had the same under consideration, and have instructed me to report the same back with the following amendment: "That the legislature shall have the privilege of reducing the rates of ferriage in six years from and after the passage of this act." And recommend its passage as amended.

H. M. KNAPP,
Chairman.

Report adopted.

Mr. Ferguson submitted the following report:

MR. SPEAKER :

The Committee on Education, to whom was referred C. B., No. 2—
"An act to amend an act, entitled, an act additional to an act, to amend an act, entitled, 'An act establishing a common system in the Territory of Washington,'" have had the same under consideration, and have in-

structed me to report the same back without amendment and recommend its passage.

JAS. L. FERGUSON,
Chairman.

Report read and adopted.

Report from select committee:

Upon leave, Mr. Webster introduced the following report:

MR. SPEAKER :

The Select Committee, to whom was referred H. B., No. 12, on the subject of the measurement of logs, timber, &c., have had the matter under their careful consideration, and beg leave to report in favor of the bill, and would recommend its passage.

JOHN WEBSTER,
Chairman.

Report received and adopted.

Mr. Wood, upon leave, submitted the following report:

MR. SPEAKER :

The Committee appointed to wait upon the Secretary of the Territory, and request him to furnish a copy of the statutes of February, 1854, to each of the standing committees of the House, have instructed me to report that they have attended to the duties assigned them, and that the Secretary has purchased nineteen copies for the use of the standing committees.

W. H. WOOD,
Chairman.

Report adopted, and committee discharged.

Upon leave, Mr. Chenoweth introduced the following resolution:

Resolved by the Legislative Assembly, That the Committee on elections be instructed to prepare and introduce a bill to equalize the representation of members of the Legislature, taking as a basis the vote of the last general election, and report at an early day.

Resolution read and adopted, and the Committee on Elections was so instructed.

Upon leave, Mr. Smith introduced—

H. B., No. 15—"An act to incorporate Whitman Seminary."

Bill read a first time, and ordered to be printed.

Second reading of bills.

H. B., No. 10—"An act to locate the seat of government at Vancouver,"

Was now taken up and read second time.

Mr. Ferguson moved to suspend the rules, and that the bill be considered as engrossed, and that now be assigned as the time for its third reading.

Carried.

Bill read a third time.

And the question being upon its final passage, the ayes and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Judson, Knapp, Miles, Savage, Shaffer, Shockley, Short, Simmons, Smith, Van Valzah, Webster, Wood, and Mr. Speaker—19.

Those voting in the negative, were—

Messrs. Jackson, McCall, Shead, Shelton, Swindall, Tennant, Weed, Willard, and Yantis—9.

So the bill passed, and title agreed to.

And, upon motion of Mr. Brownfield,

The rules were suspended, and the clerk was instructed to forthwith report the passage of said bill to the Council.

H. B., No. 14—"An act in relation to constituting half-breed children heirs-at-law,"

Read second time.

Mr. Tennant moved that the bill be referred to Committee on Judiciary.

Carried.

And the bill was so referred.

H. B., No. 13—"An act in relation to estrays and other unclaimed property,"

Read second time.

Mr. Tennant moved that the bill be referred to Committee on Judiciary.

Lost.

Mr. Miles moved to refer said bill to Committee on Agriculture; pending which motion,

Mr. Knapp moved to amend by referring the bill to a select committee of three members.

Amendment carried.

The bill was referred to the following select committee, viz:

Messrs. Knapp, Judson and Shead.

Mr. Chenoweth in the chair.

H. B., No. 8—"An act to dissolve the bonds of matrimony between Charles Green and Cathrine W. Green,"

Read second time.

Mr. Chapman moved that the bill be laid upon the table.

Carried.

H. J. R., No. 1—"Relative to a joint convention, for the purpose of electing certain territorial officers for Washington Territory,"

Was now taken up and read a second time.

Mr. Wood moved a suspension of the rules, and that now be assigned as the time for the third reading; pending which motion,

Mr. Knapp moved to amend by laying the resolution upon the table.

Amendment lost.

And upon a vote being taken upon the preceeding motion of Mr. Wood, the House refused to suspend the rules.

Mr. Wood moved the resolution be referred to a select committee of three, with Mr. Chapman as chairman.

Carried.

And the Chair appointed Messrs. Chapman, Brownfield and Knapp said committee.

C. B., No. 3—"An act to locate a territorial road from Monticello to the Upper Cascades,"

Read second time.

Mr. Simmons moved an amendment in said bill, by inserting the name of "Pennington" in lieu of "H. J. G. Maxon."

Carried.

And the insertion of the name of said Pennington made.

Mr. Jackson moved to further amend said bill, by striking out the name of "Godard," and inserting the name of "Peter Crawford."

Carried.

Mr. Jackson moved to further amend the bill, by striking out "\$4 per day," and insert in lieu thereof "\$3 per day."

When, on motion of Mr. Jackson,

The bill was referred to Committee on Roads and Highways.

Third reading of bills.

H. B. No. 7—An act to authorize Richard H. Reigart to establish a ferry across the Columbia river in Spokane county, was taken from the table.

Bill read a third time and passed, and title agreed to.

H. B. No. 77, was now taken up and read a third time and passed and title agreed to.

C. B. No. 2—An act to amend the school law, was taken from the table.

Bill read a third time and passed, and title agreed to.

Message from the Council by their Clerk :

I am instructed by the Council, to inform the House of the passage of H. B. No. 3—An act to dissolve the bonds of matrimony existing between W. W. Davis and Alice Davis.

Also of the introduction of C. B. No. 4—An act to provide for election returns in certain council and representative districts.

Also, that Messrs. Woodard and Caples have been appointed a committee, on the part of the Council, to act with a like committee on the part of the House, to draft joint rules and orders for the legislative assembly during the present session.

ANDREW J. MOSES,

Chief Clerk.

H. B. No. 11—An act to authorize Stephen W. Babcox to establish a ferry across Snake river, was taken up, read a third time and passed, and title agreed to.

H. B. No. 12—An act to establish a rule for measuring spars, piles, square timber and saw logs, was taken up.

Bill read a third time and passed, and title agreed to.

H. B. No. 4—An act creating the county of Clickatat, was taken up on its second reading, together with the following report on the same, to wit:

The committee on counties to whom was referred H. B. No. 4, relative to the organization of the county of Clickatat, having had the same

under consideration and have instructed me to report the same back to the House without amendment and recommend its passage.

J. L. FERGUSON,
Chairman.

The above report was read and adopted.

Bill read a third time and passed, and title agreed to.

Mr. Wood moved that a committee of three be appointed on the part of the House, to confer with a like committee on the part of the Council, for the purpose of drafting joint rules and orders.

Motion carried, and the chair appointed as the committee on the part of the House, the following gentlemen, to-wit: Messrs. Wood, Shockley and Van Valzah.

Mr. Simmons moved that the standing hour to which this house shall adjourn from day to day, shall be at 10 o'clock, A. M.

Carried, when

On motion of Mr. Wood,

The House adjourned.

J. T. TURNER,
Chief Clerk.

THURSDAY, December 15, 1859.

House met pursuant to adjournment.

Upon calling the roll the following members were found absent, to-wit:

Messrs. Chenoweth, Henness, Swindall and Willard. Mr. Swindall absent upon leave.

Journal of yesterday read and approved.

Reports of standing committees.

Mr. Miles asked leave to withdraw a report submitted by him on yesterday, as chairman of a select committee, and that all matter in relation thereto be struck from the journal.

Carried, and the Clerk was so ordered.

Mr. Jackson moved that the name of Mr. Goddard be stricken from the bill.

Carried.

Mr. Brownfield moved that C. B., No. 3, be referred to Committee on Counties.

Pending which motion, Mr. Knapp moved to amend by referring the bill to a committee of three members.

Amendment carried, and the bill was referred to the following select committee, viz : Messrs. Knapp, Judson and Smith.

Mr. Miles, upon leave, submitted the following report, accompanied with a communication from the Honorable Henry McGill, Secretary of Washington Territory:

MR. SPEAKER :

The committee appointed to inquire into the expenditure of the amount of money appropriated by Congress for defraying the expense of the Legislative Assembly, &c., report that they have waited on the Secretary of the Territory, and submitted to him the following questions :

1st. What is the amount of money appropriated by Congress for the present fiscal year for legislative expenses of Washington Territory?

2d. Under what rules is the money expended?

3d. Are the estimates made so that approximate amounts are set apart for the different objects embraced under the term Legislative Expenses?

4th. Can the amount of all the stationary be given, with the price of each article? If so, it is desirable.

To which, the committee received the accompanying communication from the Secretary.

HENRY MILES,
HENRY JACKSON,
J. P. SHOCKLEY,

Committee.

Report received and adopted, and, upon motion, the committee were discharged.

Upon motion of Mr. Wood,

The Clerk was instructed to read the communication from the Secretary of the Territory to the House.

SECRETARY'S OFFICE,

OLYMPIA, Dec. 15, 1859.

SIR:

In reply to the interrogatories of the committee, acting under the Resolution of the House of Representatives, passed on the 12th instant, I have the honor, cheerfully, to submit the following statement:

The sum appropriated by Congress for the Legislative expenses of the Territory for the present fiscal year, is \$20,000.

The Secretary of the Territory forwards, at regular periods, to the Register of the Treasury, an estimate of the appropriation required for the service of the fiscal year, showing the unexpended balance, if any, of the appropriation for the preceeding year. In this estimate he is required to specify the probable sum of the several items or classes of expenses, to the payment whereof, the money is to be applied. To relieve the Secretary from the responsibility and care which would be necessarily incurred by his retaining any large amount of specie in his office, a portion of the annual appropriation is, at his request, from time to time, placed by the Treasury Department to his credit, with the Assistant Treasurer at New York, upon whom he draws for such an amount as is actually needed.

I do not find upon record in this office, a copy of the estimates for the years 1859 or 1860, but take the liberty to submit a copy of that for the fiscal year, ending 30th June, 1858.

“Estimate of the expenses of the Legislative Assembly of the Territory of Washington, for the fiscal year, ending June 30, 1858:

Per diem of 39 members for 60 days, at \$3.....	\$7,020 00
Mileage of same.....	1,170 00
Chief Clerks.....	600 00
Assistant Clerks.....	360 00
Sergeants-at-Arms.....	360 00
Door Keepers.....	360 00
Library and Librarian.....	700 00
Stationery.....	450 00
Secretary's office, &c.....	1,000 00
Public Printing.....	6,000 00
Contingencies of Legislative Assembly, &c.....	1,980 00
	<hr/>
	\$20,000 00

I annex a copy of the bill of stationery purchased by Mr. Mason, for the present session of the Legislature.

"THE UNITED STATES,
"On account of the Legislative Assembly of the Territory of Washington:
To G. K. WILLARD & SON:

10 R'ms ex. 1st class cap paper at	\$5 50.....	\$55 00
10 " " " letter " "	5 25.....	52 50
2 " " " note " "	5 00.....	10 00
1 " red blotting " "	7 50.....	7 50
1 " envelope " "	7 50.....	7 50
2 " P. O. wrapping " "	7 00.....	14 00
4 doz. Gilliman's inks, " "	7 50.....	30 00
4 " sand boxes, " "	5 50.....	22 00
3 " wafer cups, " "	3 75.....	15 00
3½ " paper folders, " "	5 00.....	17 50
3 " boxes wafers, " "	1 12.....	3 38
4 " wafer stamps, " "	2 25.....	9 00
6 " red tape, " "	1 00.....	6 00
1 " Maynard & Noyes' ink gl's. at	6 50.....	6 50
4 " Congress knives, at	19 00.....	76 00
3 M. letter envelopes, " "	5 00.....	15 00
2 " official " " "	8 00.....	16 00
15 gross steel pens, " "	1 25.....	18 75
½ " pen holders, " "	6 00.....	3 00
2 " Faber's pencils, " "	9 00.....	18 00
5 lbs. flax twine, " "	0 87.....	4 37
Cartage, " "	6¼.....	75
		\$407 75

The other incidental expenses are: fuel, lights, annual repair and fitting up of Capitol, side-walks, &c.; binding the laws and journals, papers for members of the Assembly, and for the Library, &c., &c., &c.; duplicate vouchers for all of which are on file in this office, and open to the inspection of the committee.

I would beg leave to add, that in fitting up the rooms, &c., at the Capitol, I spared no pains to render the place not only habitable, but comparatively comfortable, and it was therefore with extreme regret that I learned there was any dissatisfaction.

As to the stationery being used at the present session, it was ordered by the late Secretary, Mr. Mason. I found it here upon my arrival, and understood that His Excellency, the Governor, as Acting Secretary, had made no objection to it. Supposing it to be of the usual quality, I accepted and paid for it.

Two days before the opening of the session, in accordance with what I was informed to have been the practice, I placed upon the desk of each member, in both Halls, one ink stand, sand box, wafer box, wafer stamp, pens and pen-holders, and a small supply of stationery; and immediately upon the organization of the Houses, I delivered into the charge of each of the Chief Clerks, what they appeared to deem a sufficiency of letter, fools-cap and note paper, official and letter envelopes, paper cutters, pencils, pen-holders, india rubber erasers, tape, twine, sand, wafers, and blotting or packing paper. I also placed in the charge of the Sargeants-at-Arms, a supply of candles and ink. I informed these gentlemen that the remainder of the stationery was at the Secretary's office, and would be delivered as called for. The stationery is purchased for the sole use of the members of the Legislature. The Secretary is not limited, except by custom, to either quantity or quality. He is required to exercise a sound discretion, and to make no expenditures except such as are legal, proper, necessary and reasonable in amount.

I trust the committee will pardon this digression. I deemed it justice to them and to myself, to make this statement.

In hope that the report will meet the wishes of the committee and the House, I will close, with the assurance that it has been and will be my aim and ambition to discharge my duties faithfully and well; to the satisfaction of the Government and the Legislature, and for the best interests of my adopted home.

I have the honor to be,

Very respectfully, your obedient servant,

HENRY M. MCGILL,

Secretary of Washington Territory.

To the Hon. HENRY MILES,

Chairman of Committee, &c., &c.,

House of Representative, Olympia.

Mr. Chenoweth moved that the report of the Secretary be received.
Carried.

Upon leave, Mr. Chenoweth offered the following resolution :

Resolved, That in the opinion of this House, the Secretary of the Territory has done all in his power to provide this House with all the stationery and other necessities, both sufficient in quantity and quality.

Which was unanimously adopted.

Mr. Miles moved that the Clerk be instructed to furnish to the Honorable Secretary a copy of the foregoing resolution.

Carried.

Message from the Council by their Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of the introduction of C. B., No. 5—An act to amend an act, entitled, an act relative to estrays and other unclaimed property.

Also, of the passage of C. B., No. 4—An act to provide for election returns in certain council and representative districts.

Also, that the Council have passed H. M., No. 1—Relative to the establishment of a military road from Seattle, on Puget Sound, *via* Snoqualmie Pass, to Fort Colville.

Also, the passage of H. M., No. 2—Relative to the survey of public lands in Washington Territory.

ANDREW J. MOSES,
Chief Clerk.

The Speaker here announced that he would proceed to sign an act dissolving the bonds of matrimony heretofore existing between William W. Davis and Alice Davis.

Business from the Council :

C. B. No. 4—An act to provide for election returns in certain council and representative districts,

Was now read a first time and laid over.

Mr. Chenoweth, upon leave, submitted the following report:

MR. SPEAKER :

The Committee on Judiciary, to whom was referred H. B., No. 5—An act, entitled, an act conferring jurisdiction on the county of Walla Walla, report the same back to the House with the following amendments:

In section 2, strike out the words "fourth Monday of April," and insert "first Monday in May;" and in same section, strike out "fourth Monday in October," and insert "first Monday in November."

In section 5, strike out the word "bystanders," and insert the word "county;" and recommend that the bill do pass.

Also, H. B., No. 6, and recommend that the bill do not pass.

Also, a petition for a divorce between Bridget M. Donnelly and William Donnelly, and ask leave to report by bill, and recommend that it do pass.

F. A. CHENOWETH,
Chairman.

Report adopted.

H. B. No. 5—"An act conferring jurisdiction upon the District Court of Walla Walla,"

Read a third time and passed, and title approved.

H. B., No. 1.—An act to amend an act, entitled, "An act to change the time of holding the County Commissioners' Court,"

Was now taken up and read a second time, and

Upon motion of Mr. Brownfield,

Was referred back to the Committee on Judiciary.

Upon leave, Mr. Wood introduced—

H. B., No. 16—An act, to amend an act to incorporate Steilacoom Lodge, No. 8, of Free and Accepted Masons.

Bill read a first time, and ordered to be printed.

The Speaker here informed the House of the reception of the report of the Territorial Librarian, which,

Upon motion of McCall,

Was read by the Clerk, and the report was adopted.

Mr. McCall moved that 150 copies be printed for the use of the House.

Pending which motion, Mr. Wood moved to amend by printing 500 copies. Lost.

And the question being upon the original motion of Mr. McCall, the House refused to adopt the motion, and it was therefore lost.

On motion of Mr. Tennant,

The report was laid upon the table.

On motion of Mr. Van Valzah,

The House adjourned.

J. T. TURNER,
Chief Clerk.

FRIDAY, December 16, 1859.

House met pursuant to adjournment.

Upon calling the roll, the following members found absent, viz: Messrs. Henness and Swindall, the latter absent on leave.

Journal of yesterday read and approved.

Mr. Brownfield asked leave to have the journal of yesterday so corrected, as to have his name appear as voting in the affirmative, upon the adoption of a resolution introduced by Mr. Chenoweth on yesterday.

Carried, and the correction was made.

Upon leave, Mr. Shaffer introduced—

H. M. No. 9—Praying for an appropriation to survey and buoy out the channel of the Columbia river, from the mouth of the Willamette to the Cascades of the Columbia river.

Memorial read a first time,

And under a suspension of the rules, read a second and third time and passed.

Upon leave, Mr. Shaffer introduced the following memorial, viz:

H. M. No. 10—Relative to the Superintendency of Indian Affairs.

Memorial read three several times, under a suspension of the rules, and passed.

H. M. No. 11—Relative to appropriating money for the transportation and settling the Indian tribes on their reserves east of the Cascade mountains.

Memorial read three several times, under a suspension of the rules, and passed.

Mr. Chenoweth moved that the word "modestly," used in H. M. No. 11, be stricken out, and that "earnestly" be inserted in lieu thereof.

Carried.

Upon leave, Mr. Brownfield introduced—

H. J. R. No. 2—Relative to the employment of an Enrolling Clerk for this Legislative Assembly.

Resolution read a first time.

Mr. Brownfield moved a suspension of the rules, and that the resolution be read a second time now.

Carried.

Resolution read a second time, and

On motion of Mr. Tennant,

Was laid on the table.

Reports from standing committees:

Upon leave, Mr. Webster introduced the following report:

MR. SPEAKER :

The committee on Elections, to whom was referred the resolution in regard to the apportionment of Representatives and Councilmen, have had the same under consideration, and have instructed me to introduce the following bill, and recommend its passage.

JOHN WEBSTER,

Chairman.

Report received and laid upon the table.

Upon leave, Mr. Shaffer submitted the following report:

MR. SPEAKER:

The undersigned submits the following report:

The committee, in part, to whom was referred H. B. No. 6—An act to amend an act, entitled an act relating to elections, and the mode of supplying vacancies, recommend that the bill do pass, with the following amendment: In sec. 1, line 3, after the words "annual election," insert the words—and all annual elections thereafter.

LYMAN SHAFFER,

Chairman.

Report received and laid upon the table.

Upon leave, Mr. Smith introduced the following report:

MR. SPEAKER:

The select committee to whom was referred C. B. No. 3, have had the same under consideration, and have instructed me to report the same back, with the following amendments: Strike out, in line 2, in sec. 1, the name of "Bennington," and insert in lieu thereof, H. J. G. Maxon. Also, strike out the name of "Joseph Goddard," in line 3, sec. 1, and insert the name of Peter Crawford. Also, strike out, in line 2, sec. 4, the word "three," and insert the word four; and recommend the passage of the bill with the reported amendments.

J. C. SMITH,

Chairman.

Report read and adopted.

Upon leave, Mr. Wood introduced—

H. B. No. 17—An act to amend an act, entitled an act in relation to roads and highways, and defining the duties of supervisors of highways.

Bill read a first time, and ordered to be printed.

Upon leave, Mr. Short introduced—

H. B. No. 18—An act to dissolve the bonds of matrimony existing between William Donnelly and Bridget Donnelly.

Which was read a first time and laid upon the table to be printed.

Upon leave, Mr. Wood introduced H. J. R. No. 3, which is in words as follows, to-wit:

Be it resolved by the Legislative Assembly of Washington Territory, That a committee of three be appointed as a joint committee, on the part of the House, to confer with a like committee on the part of the Council, for the purpose of inquiring into the practicability of electing delegates from this Territory to the Pacific Railroad Convention to convene in California in January next.

Resolution read a first time, and laid upon the table to be printed.

Upon leave, Mr. Weed introduced—

H. B. No. 19—An act to amend an act to incorporate Olympia Lodge No. 5, of Free and Accepted Masons.

Bill read a first time, and under suspension of the rules, read a second and third time, passed and title approved.

On motion of Mr. Shaffer,

Mr. Knapp was excused from attendance as a member of this body for a few days.

Mr. Brownfield moved that the House now adjourn.

Lost.

Engrossed bills now coming up in regular order, the clerk took from the table,

H. B., No. 6—"An act to amend an act, entitled, 'An act relating to elections and the mode of supplying vacancies,'"

Which was, upon motion of Mr. Brownfield,

Re-committed to the committee on Judiciary.

Mr. Webster, from the committee on Elections, upon leave, introduced—

H. B. No. 20—An act apportioning the Representatives and Councilmen of Washington Territory.

Bill read a first time, and laid over to be printed.

Mr. Miles moved that the committee on Printing be instructed to have said bill printed this day.

Carried, and the committee were so instructed.

Mr. Chenoweth moved that they also cause to have printed the number of votes cast at the last general election, in the respective counties in the Territory.

Carried.

Mr. Shaffer moved that the report of the Territorial Librarian be taken from the table.

Carried.

Mr. McCall moved that there be printed 150 copies of said report.

Carried.

The report from select committee on C. B. No. 3, was now taken up and read, as also the bill upon which said report had been made.

The question being, will the House adopt the 1st amendment proposed by the committee?

The ayes and nays were demanded by Mr. Tennant, and the following is the vote:

Those voting in the affirmative were—

Messrs. Brownfield, Ferguson, Miles, Short, Smith, and Mr. Speaker—6.

Those voting in the negative, were—

Messrs. Chapman, Chenoweth, Foster, Jackson, Judson, McCall, Savage, Shead, Shelton, Shockley, Simmons, Tennant, Weed, Willard, and Yantis—15.

Amendment lost.

The question now being upon the adoption of the second amendment to said bill, it was decided in the affirmative, and the amendment adopted.

The question now was, will the House accede to the third amendment offered by the committee?

Upon this question the ayes and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Chapman, Ferguson, Foster, Gile, Judson, Miles, Shaffer,

Short, Smith, Van Valzah and Wood—11.

Those voting in the negative, were—

Messrs. Brownfield, Chenoweth, Jackson, McCall, Savage, Shead, Shelton, Shockley, Simmons, Tennant, Webster, Weed, Willard, Yantis, and Mr. Speaker—15.

So the House, therefore, refused to adopt the amendment.

Mr. Tennant here gave notice that he would, on to-morrow, introduce an amendment to certain rules of the House regarding absent members.

H. B. No. 16—An act to amend an act to incorporate Steilacoom Lodge No. 8, Free and Accepted Masons.

Was taken up on its second reading.

Mr. Wood moved that the rules be suspended, and that now be assigned as the time for the third reading.

Carried, and the bill was read a third time.

Mr. Wood moved a re-consideration the vote whereby said bill had passed to third reading.

Carried.

Whereupon, Mr. Wood moved to amend the bill, so that the figure "2" shall appear in lieu of figure "8," wherever it occurs in said bill.

Lost; when,

On motion of Mr. Miles,

The bill was referred to the committee on Corporations.

Message from the Council by their Clerk :

MR. SPEAKER:

I am instructed by the Council, to inform the House of the passage of C. B. No. 6—An act entitled an act to incorporate the Dalles Portage Company.

Also, that the Council have passed a substitute for H. B. No. 7—An act authorizing Richard H. Reigart to establish a ferry on the Columbia river, in Spokane county.

Also, that the Council have passed H. B. No. 11—An act authorizing Stephen W. Babcock to establish a ferry on Snake river, with amendments, and ask the concurrence of the House therein.

Also, of the passage of C. B. No. 7—An act to dissolve the bonds of matrimony existing between Jacob Hans and Caroline Hans.

Also, that the Council have passed H. M. No. 4—Relative to an

exchange of service between the United States war steamers *Massachusetts* and *Shubrick*.

Also, that the Council have passed H. M. No. 3—Relative to the establishment of a mail route from Olympia, *via* the Capital of Oregon, to the Capital of California, with an amendment, and ask the concurrence House therein.

Also, of the passage of H. B. No. 9—An act to incorporate Port Townsend Lodge of Free and Accepted Masons.

ANDREW J. MOSES,

Chief Clerk.

Mr. Brownfield moved that the House do now adjourn.

Lost.

Mr. Tennant moved that the House do adjourn.

Lost, when

On motion of Mr. Chenoweth,

H. B. No. 3—"An act to dissolve the bonds of matrimony existing between William W. Davis and Alice Davis."

Was referred to the Committee on Roads and Highways.

Business from the Council:

C. B. No. 6—An act entitled an act to incorporate the Dalles Portage Company,

Was taken up and read a first time, and laid upon the table to be printed.

Upon leave, Mr. Tennant introduced the following resolution:

Resolved, That when this House adjourns, it adjourn until Monday next, 10 o'clock, A. M.

Resolution read and adopted.

Substitute for H. B. No. 7—An act authoring Richard H. Reigart to establish a ferry on the Columbia river, in Spokane county,

Was taken up and read a first time, and laid over to be printed.

C. B. No. 7—An act to dissolve the bonds of matrimony existing between Jacob Hans and Caroline Hans.

Bill read a first time.

Mr. Wood moved a suspension of the rules, and that the bill be read a second time now. Carried.

Mr. Weed moved its reference to the committee on Judiciary.
Lost.

Mr. Wood moved to further suspend the rule, and that now be assigned as the time for the third reading of the bill.

Carried.

Bill read a third time and passed, and title agreed to.

When, on motion of Mr. Weed,

House adjourned.

J. T. TURNER,
Chief Clerk.

MONDAY, December 19th, 1859.

House met pursuant to adjournment.

Upon calling the roll the following members were found absent, to-wit:

Messrs. Henness, Knapp, Swindall, Willard, Wood and Yantis—6.

Journal of Friday read and approved.

Upon leave, Mr. Webster, from Committee on Elections submitted the following report:

MR. SPEAKER :

The Committee on Elections, have had under consideration the credentials of C. J. Noyes, member elect from Kitsap county, and have instructed me to report that we find his credentials correct and that he is fully entitled to his seat.

JOHN WEBSTER,
Chairman.

Report received and adopted.

Upon request, Mr. Van Valzah was given a leave of absence for one week.

Upon leave, Mr. Shead introduced—

H. M., No. 12—To re-locate the military road from Steilacoom to Walla Walla.

Memorial read a first time.

Mr. Ferguson moved a suspension of the rules, and that now be assigned as the time for the second reading.

Carried, and memorial read a second time.

Mr. Brownfield moved to further suspend the rules, and that now be assigned as the time for the third reading.

Carried, and memorial read a third time.

And the question being upon its final passage, the ayes and nays were called, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chenweth, Ferguson, Foster, Gile, Shead, Shelton, Shockley, Short, Simmons, Smith, Webster, Weed and Mr. Speaker—14.

Those voting in the negative, were—

Messrs. Chapman, Jackson and McCall—3.

The memorial therefore passed.

Upon leave, Mr. Smith introduced—

H. M., No. 13—Praying for the extension of public surveys east of the Cascade mountains.

Memorial read three several times, under a suspension of the rules, and passed.

The Hon. Henry M. McGill being present, came forward, by request, and administered the oath of office to Mr. Noyes, the member elect from Kitsap; and that gentleman took his seat.

Mr. Chenoweth, Chairman of Committee on Judiciary, upon leave, introduced—

H. B., No. 21—An act to regulate the practice and proceedings in civil practice in district courts.

Bill laid upon the table, and

Upon motion of Mr. Tennant,

It was ordered that said bill should not be printed.

Mr. Simmons, from the Committee on Corporations, upon leave submitted the following report:

MR. SPEAKER :

The Committee on Corporations, to whom was referred H. B., No. 16, have had the same under consideration, and have instructed me to report the same back with the following amendments:

Strike out the words, so amended as to read, "Steilacoom Lodge, No. 2, of Free and Accepted Masons," and insert in place thereof; amended by striking out the figure 8, also by adding the words and inserting the figure 2 instead, after the word occurs in the third line.

A. H. SIMMONS,
Chairman.

Report adopted.

Bill read a third time as amended, and passed and title approved.

Mr. Chapman, of Select Committee on House Joint Resolution, No. 5, asked for further time to report to the House.

Request granted.

Second reading of bills.

C. B., No. 6—An act, entitled, an act to incorporate the Dalles Portage Company,

Was now taken up and read second time.

Mr. Smith moved a suspension of the rules, and that now be assigned as the time for the third reading.

Carried.

Bill read a third time and passed, and title agreed to.

H. B., No. 17—An act to amend an act, entitled, an act in relation to roads and highways,

Was read a second time, and

Upon motion of Mr. Brownfield,

Was referred to Committee on Roads and Highways.

H. J. R., No. 2—Relative to the employment of an enrolling clerk,
Read second time.

Mr. Weed moved a suspension of the rules, and that now be assigned as the time for the third reading.

Carried, and resolution passed.

H. B., No. 20—An act apportioning the representatives and councilmen for Washington Territory,

Was now read a second time, and

On motion of Mr. Shaffer,

Was laid over and made the order of the day, January 10th, 1860.

H. B., No. 18—An act to dissolve the bonds of matrimony between William and Bridget Donnelly,

Was taken up and read a second time, as also the petition and affidavits accompanying the same.

Mr. Webster moved a suspension of the rules, and that now be assigned as the time for the third reading.

Lost, and the bill laid over.

Mr. Shaffer in the chair.

H. J. R., No. 3—Relative to electing delegates to the Pacific Railroad Convention, to be holden in California in January next,

Was taken up, read a second time and laid over.

Substitute for H. B., No. 7—An act granting to Richard Reigart the right to establish a ferry on the Columbia river,

Read a second time and laid over.

Upon leave, Mr. Chapman introduced—

H. J. R., No. 4—Relative to a joint committee on enrolled bills.

Resolution read three several times, under a suspension of the rules, and passed.

H. B., No. 8—An act to dissolve the bonds of matrimony between Charles Green and Cathrine Waprusa Green,

Was now taken up and laid over.

Upon leave, Mr. Miles introduced—

H. B., No. 22—An act concerning negroes, mulattoes and mongolians from giving evidence in civil or criminal cases where a white person is a party,

Read a first time and ordered to be printed.

On motion of Mr. Tennant,

The House adjourned.

J. T. TURNER,

Chief Clerk.

TUESDAY, December 20th, 1859.

House met pursuant to adjournment.

Upon calling the roll the following members were found to be absent, to-wit:

Messrs. Henness, Knapp and Van Valzah.

Journal of yesterday read and approved.

Mr. Tennant in the chair.

Mr. Ferguson, upon leave, submitted the following report:

MR. SPEAKER :

The Committee on Roads and Highways, having had under consideration C. B., No. 3, have directed me to report the same back to the House, with the following amendment: H. J. G. Maxon to receive no pay for his services. But in all other respects, recommend its passage in the same form that it came from the Council.

J. L. FERGUSON,
Chairman.

Report read, and

On motion of Mr. Chapman,

Was adopted.

Mr. Brownfield, upon leave, offered the following report:

MR. SPEAKER :

The Joint Committee on Enrolled Bills have had under consideration H. M., No. 2—Relative to the survey of public lands.

Also, an act to dissolve the bonds of matrimony between William W. Davis and Alice Davis.

Also, H. M., No. 1—Relative to establishing a military road.

Also, C. B., No. 7—An act to dissolve the bonds of matrimony between Jacob Hans and Caroline Hans.

And find them correctly enrolled.

D. F. BROWNFIELD,
Chairman on part of the House.

Report received and adopted.

Upon leave, Mr. Webster introduced—

H. J. R., No. 5—Relative to adjournment of the Legislature.

Resolution read a first time.

Mr. Foster moved a suspension of the rules, and that the resolution be read a second time now.

Carried.

Resolution read a second time, and

Upon motion of Mr. Chenoweth,

Was referred to a select committee, consisting of Messrs. Chenoweth, Webster and Shead.

Second reading of bills.

H. B., No. 22—An act concerning negroes, mulattoes and mongolians from giving evidence in civil or criminal cases where a white person is a party.

Was now taken up and read a second time.

Mr. Brownfield moved that the bill be laid on the table.

Lost.

Mr. Chenoweth moved that the House go into Committee of the Whole on said bill.

Lost.

Mr. Shockley moved that the bill be referred to the Committee on Judiciary.

Carried, and the bill so referred.

H. B., No. 21—An act to regulate the practice and proceedings in civil actions in district courts,

Was now read a second time and laid over.

H. B. No. 18, was now taken up and read a third time and passed, and title agreed to.

H. J. R., No. 3—Relative to election delegates to the Pacific Railroad Convention, to be holden in January next,

Read a third time, and passed and title approved.

Substitute to H. B., No. 7—An act granting to Richard Riegart the right to establish a ferry on the Columbia river,

Read a third time and passed.

Upon leave, Mr. Webster submitted the following report:

MR. SPEAKER :

The Committee on Elections, to whom was referred C. B., No. 4, entitled an "An act to provide for election returns in certain districts," have had the same under consideration, and have instructed me to report the same back with the following amendments: Strike out the word "or"

where it occurs the second time in the fourth line; and also strike out the words "clerk of the board of county commissioners," where it occurs in the fifth and sixth lines, and insert "county auditor;" and recommend its passage as amended.

JOHN WEBSTER,
Chairman.

Message from the Council by their Clerk :

MR. SPEAKER:

I am instructed by the Council, to inform the House of the passage of H. M., No. 6—Praying for an appropriation by Congress for a military road from Baker's Bay, by Shoalwater Bay and Gray's Harbor, to Port Townsend.

Also, the passage of H. M., No. 7—Relative to the free navigation and improvement of Chehalis river.

Also, that the Council have passed H. M., No. 8—Relative to the erection of a lighthouse at Gray's Harbor, and to survey and buoy out its bar and channel.

Also, of the introduction and passage of C. B., No. 9—An act to amend an act to incorporate the Cascade Railroad Company.

ANDREW J. MOSES,
Chief Clerk.

Report received and adopted.

Mr. Miles in the chair.

Bill read a third time as amended, and passed and title approved.

C. B., No. 3—"An act to locate a territorial road from Monticello to the Upper Cascades,"

Was taken up and read a third time as amended by the committee ; amendments adopted, and the bill passed and title approved.

Business on the table.

First reading of bills.

H. B. No. 24—An act to authorize A. Jacobs to establish a bridge across the Touchet river in Walla Walla county.

Bill read a first time, and laid over to be printed.

H. B. No. 23—An act to authorize William J. Terry to establish a bridge across the Spokane river in Spokane county.

Bill read a first time, and ordered to be printed.

Business from the Council.

C. B. No. 9—An act to amend an act entitled an act to incorporate the Cascade Railroad Company.

Bill read a first time.

Mr. Shaffer moved to suspend the rules, and that the bill be read a second time now.

Carried, and bill was so read.

Mr. Ferguson moved a further suspension of the rules, and that now be assigned as the time for the third reading of the bill.

Carried.

Bill read a third time and passed, and title agreed to.

H. M. No. 3—Relative to mail route from Olympia to the Capital of California, was taken up and read as amended by the Council, and the amendments were concurred in by the House.

H. B. No. 11—An act authorizing Stephen W. Babcock to establish a ferry on Snake river.

Was taken up and read as amended by the Council, and the House agreed to concur in the amendments.

The Speaker here resumed the chair, and announced that he would proceed to sign the following bill and memorials, to-wit:

C. B. No. 7—An act to dissolve the bonds of matrimony existing between Jacob Hans and Caroline Hans.

H. M., No. 2—"Relative to the survey of public land in Washington Territory."

H. M. No. 1—Relative to the establishment of a military road from Seattle, on Puget Sound, *via* Snoqualmie pass to Fort Colville.

When, on motion of Mr. Weed,

House adjourned.

J. T. TURNER,
Chief Clerk.

WEDNESDAY, December 21, 1859.

House met pursuant to adjournment.

Upon calling the roll, members all present, except Messrs. Henness, Knapp and Van Valzah; the two latter gentlemen absent on leave.

Journal of yesterday read and approved.

Upon leave, Mr. Chenoweth submitted to the House certain amendments to H. B. No. 21—An act to regulate the practice and proceedings in civil actions in district courts.

Amendments received and adopted.

Upon leave, Mr. Swindall introduced two several petitions.

First petition:—Praying the Legislative Assembly to locate the county seat of Sawamish county on the land claim of Wm. M. Morrow.

Second petition:—Prays the Legislature to allow the same to be located by a majority vote of the actual settlers of said county.

The petitions were read by the clerk, and

Upon motion, were referred to the committee on Counties.

Upon leave, Mr. Swindall introduced—

H. B. No. 25—An act authorizing William Packwood to establish a wagon road on and near the Nisqually river, together with a petition from (91) ninety-one citizens of Thurston county, praying the Legislative Assembly to grant unto said Packwood, his heirs and assigns, the right to construct said road, and also, to establish a bridge or ferry on the said Nisqually river.

Bill read a first time, and laid over to be printed.

Upon leave, Mr. Miles introduced—

H. B. No. 26—An act to provide for the location and selection of lands reserved for University purposes, and appoint a board of commissioners.

Bill read a first time, and ordered to be printed.

Reports of standing committees.

Mr. Brownfield submitted the following report:

MR. SPEAKER :

The joint committee on Enrolled Bills have had under consideration,

H. M. No. 4—Praying for a change of service between the U. S. steamers *Massachusetts* and *Shubrick*, and find it correctly enrolled.

D. F. BROWNFIELD,
Chairman.

Report received and adopted.

Mr. Webster submitted the following report:

MR. SPEAKER :

The select committee on H. J. R. No. 5, have had the same under consideration, and have instructed me to report the following amendment: That when the Legislature adjourn on Monday next, that it stand adjourned till Friday, January 6th, 1860.

JOHN WEBSTER,
Chairman.

Report received and laid on the table.

Upon leave, Mr. Ferguson introduced—

H. B. No. 27—An act authorizing Geo. Knaggs to establish a ferry across the Columbia river.

Bill read a first time and laid over to be printed.

Upon leave, Mr. Shead introduced—

H. B. No. 28—An act to establish a common school system for Washington Territory.

Bill read a first time and laid over to be printed.

Message from the Council by their Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of the passage of H. B. No. 15—An act to incorporate Whitman Seminary.

Also, that the Council have passed H. B. No. 18—An act to dissolve the bonds of matrimony existing between William Donnelly and Bridget Donnelly.

ANDREW J. MOSES,
Chief Clerk.

The Speaker here announced the reception of a communication from Mr. J. D. Park, Sergeant-at-arms of the House.

Upon motion, the Clerk was instructed to read said communication, which was in words following, to-wit:

OFFICE OF SARGEANT-AT-ARMS,

H. of R., Olympia, Dec. 21st, 1859.

To the Speaker of the House of Representatives, Washington Territory:

SIR:

As I deem it not only expedient, but just to your honorable body, that all needful information should be received from your officer. Some few days ago, each chairman, extra of those already furnished the House, for such stationery, &c., as the chairman of each committee, for said committee uses may demand, officially, for the preparation of business connected with the House. I had the honor to call on the Hon. Secretary of the Territory, and he told me to state to the chairman of committees to call on him, thereby disrobing me of all responsibility to furnish the amount demanded, as already in the hands of the Hon. Secretary of the Territory, and not received by your officer. No locks can be put on the members' desks unless ordered by the Secretary of W. T. I have receipted for the following amount of stationery, in two different vouchers, when on the, the like officer of the Council is required to give no such papers:

Received for the use of the House of Representatives:

5 quires of blotting paper.
 13 " of wrapping paper.
 4 boxes candles, (20 lbs. per box.
 1 ream of note paper.
 40 doz. of letter envelopes.
 2 " pencils.
 1 box mucilage, and two paper cutters.
 200 quills.
 1 ruler.
 1 bottle red ink.
 48 pieces red tape.
 27 boxes matches, and
 9 pen holders.

There were several articles furnished the desks of your honorable body prior to my being initiated into office, that I am not responsible for the delivery thereof. What the clerks of the House have received, they can best make their own report.

I have the honor to be,

Respectfully,

JOHN D. PARK,

Sargeant-at-Arms,

House of Representatives, W. T.

1½ reams of foolscap added to the above.

On motion of Mr. Miles,

The House now resolved itself into a committee of the whole, to take into consideration the letter referred to.

Mr. Swindall in the chair.

After some time spent therein, the committee rose, and through their chairman, reported progress, and that there be printed 150 copies of the communication of Mr. Park, and begged leave to be discharged from the further consideration of the subject.

Mr. Speaker in the chair.

The report of the committee adopted, and committee discharged.

The Speaker here gave notice that he would now proceed to sign the following memorial.

H. M. No. 4—Relative to an exchange of service between the U. S. steamers *Massachusetts* and *Shubrick*.

Upon motion of Mr. Wood,

H. J. R. No. 5—Relative to the adjournment of the Legislature over the holidays,

Was now taken up and read as amended by the select committee.

Mr. Shead moved to amend the amendment by the committee on said bill, so as to have it read as follows:

Resolved by the House, the Council concurring, That when the Legislature adjourns on Friday next, the 23d inst., it stand adjourned till Tuesday the 3d day of January, 1860.

Amendment adopted.

Resolution read a third time and passed, and title agreed to.

On motion of Mr. Wood,

The Clerk was instructed to report the passage thereof forthwith to the Council.

Second reading of bills.

H. B. No. 23—An act to authorize William J. Terry to establish a bridge across the Spokane river, in Spokane county.

Was taken up and read a second time, and

Upon motion of Mr. Brownfield,

Was referred to the committee on Corporations.

H. B. No. 24—An act authorizing A. Jacobs to establish a bridge across the Touchet river, in Walla Walla county.

Read second time.

Mr. Smith moved that the rules be suspended, and that now be assigned as the time for the third reading.

Lost, when

On motion of Mr. Miles,

The bill was referred to the committee on Corporations.

Upon leave, Mr. Swindall introduced,

H. B. No. 29—An act authorizing William Packwood to establish a bridge or ferry across the Nisqually river.

Upon leave, Mr. Smith introduced—

H. B. No. 30—An act to exempt the homestead, and other property, from forced sale in certain cases.

Also, H. J. R. No. 6—Concerning the equalizing postage on letters, papers, etc., through the Union.

Also, H. J. R. No. 7—Asking Congress to donate to this Territory ten million acres of arable land, in aid of her Territorial internal improvement fund.

Also, H. J. R. No. 8—Concerning the immediate payment of the Indian war debt.

Third reading of bills.

H. B. No. 21—An act to regulate the practice and proceedings in civil actions in district courts.

Was taken up, read a third time and passed, and title agreed to.

H. B. No. 17—An act to amend an act, entitled an act in relation to roads and highways, and defining the duties of supervisors of highways.

Was now taken up, and the following report from the committee on Roads and Highways, was read, to-wit:

MR. SPEAKER :

The committee on Roads and Highways, to whom was referred H. B. No 17, have had the same under consideration, and have instructed me to report the same back to the House with the following amendment:

Strike out, in sec. 1, 4th line, the word "three," and insert "six," and recommend that it do pass as amended.

LEVI SHELTON,

Chairman.

Mr. Jackson moved to amend the amendment by the committee, by striking out, in line 3, the word "six," and insert the word "nine" in lieu thereof.

The question being upon the adoption of the amendment offered by Mr. Jackson,

The ayes and nays were demanded, and the following is the vote:

Those voting in the affirmative were—

Messrs. Jackson, Judson, McCall, Miles, Shead, Shelton, Shockley, Simmons, Smith, Swindall, Weed, Willard, Yantis and Mr. Speaker—14.

Those voting in the negative, were—

Messrs. Brownfield, Chapman, Gile, Noyes, Savage, Webster and Wood—7.

Amendment adopted.

Mr. Chapman moved that the House do now adjourn.

Lost.

Mr. Shead moved an indefinite postponement of the bill.

Upon this question the ayes and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Jackson, Judson, McCall, Miles, Shead, Shelton, Shockley, Short, Simmons, Smith, Swindall, Weed, Willard, Wood, Yantis and Mr. Speaker—16.

Those voting in the negative, were—

Messrs. Brownfield, Chapman, Noyes, Savage, Webster—5.

The bill was therefore indefinitely postponed.

Mr. Wood moved that the House do now adjourn.

Lost.

Mr. Swindall moved to re-consider the vote whereby H. B. No. 17 had been indefinitely postponed.

Carried.

On motion of Mr. Miles,

Mr. Swindall's motion to re-consider was laid on the table.

Mr. Jackson moved that the House do now adjourn.

Carried.

The House adjourned.

J. T. TURNER,
Chief Clerk.

THURSDAY, December 22, 1859.

House met pursuant to adjournment.

Upon calling the roll, the following members found absent, viz:
Messrs. Henness, Knapp and Van Valzah.

Messrs. Knapp and Van Valzah absent upon leave.

Journal of yesterday read and approved.

Message from the Council by their Clerk :

MR. SPEAKER:

I am instructed by the Council to inform the House of the introduction of the following bills, to-wit:

C. B. No. 10—An act authorizing John W. Park to establish a ferry across the St. Joseph's river.

C. B. No. 11—An act authorizing William Forman to establish a ferry across the Cœur d'Alene river.

Also, that the Council have indefinitely postponed H. J. R. No. 2—Relative to the employment of an Enrolling Clerk for this Legislative Assembly.

Also, of the passage of H. J. R. No. 4—Relative to the appointment of a joint committee on Enrolled bills.

Also, of the passage of H. B. No. 16—An act to amend an act to incorporate Steilacoom Lodge No. 8, Free and Accepted Masons, with an amendment.

Also, of the passage of H. B. No. 19—An act to amend an act to incorporate Olympia Lodge No. 5, of Free and Accepted Masons, with an amendment.

Also, that the Council have concurred in House amendments to C. B. No. 3—An act to locate a territorial road from Monticello to the Upper Cascades.

Also, that the Council have concurred in House amendments to C. B. No. 4—An act to provide for election returns in certain council and representative districts.

Also, that the Council have passed H. J. R. No. 5—Relative to an adjournment over the holidays.

Also, of the introduction of C. B. No. 12—An act to amend an act entitled an act to provide for a stay of execution upon judgments in the supreme and district courts.

ANDREW J. MOSES,
Chief Clerk.

Mr. Chapman in the chair.

Mr. Webster gave notice that he would, on Wednesday, January 4th, 1860, introduce—An act to amend an act, entitled an act in relation to the construction of roads and highways and defining the duties of supervisors thereof.

Second reading of bills.

H. B. No. 25—An act authorizing William Packwood to establish a wagon road near the Nisqually river.

Bill read a second time, and

On motion of Mr. Swindall,

Was referred to the Committee on Roads and Highways.

H. B. No. 26—An act to provide for the selection and location of lands reserved for University purposes, and to appoint a board of commissioners.

Was taken up and read second time.

Mr. Miles moved that the blank occurring in the name of "Newland" be so filled as to read "James Newland."

Carried.

Mr. Miles further moved to incorporate the word "three" before "dollars" in said bill.

Carried, when

On motion of Mr. Swindall,

The bill was referred to the committee on Education.

H. B. No. 27—An act authorizing Geo. Knaggs to establish a ferry across the Columbia river.

Read second time.

Mr. Foster moved that the rules be suspended and that the bill be read a third time now.

Lost, when

Upon motion of Mr. McCall,

The bill was referred to the committee on Corporations.

Mr. Wood moved a call of the House.

Carried.

Upon calling the roll, Mr. Chenoweth was found absent, and the Sargeant-at-arms was instructed to bring in the absent member.

Upon motion of Mr. Brownfield,

A further call of the House was dispensed with.

Engrossed bills now coming up in regular order:

H. J. R., No. 1—"Relative to a joint convention, for the purpose of electing certain territorial officers for Washington Territory."

Was now taken up and read as amended by select committee.

Amendments adopted, and resolution passed and title approved.

Upon leave, Mr. Brownfield introduced—

H. J. R. No. 9—Relative to employing a joint enrolling clerk.

Resolution read a first time.

Mr. Brownfield moved a suspension of the rules, and that the resolution be read a second time now.

Carried.

Resolution read a second time, and

On motion of Mr. Tennant,

Was referred to committee on Ways and Means.

Mr. Ferguson, upon leave, submitted the following report:

MR. SPEAKER:

The committee on Education, to whom was referred H. B. No. 26, have had the same under consideration, and have directed me to report in favor of its passage as printed.

J. L. FERGUSON,

Chairman.

H. B. No. 16—An act to amend an act entitled an act to incorporate Steilacoom Lodge, No. 2, Free and Accepted Masons.

Was also taken from the table and read as amended by the Council, and the amendments to said bill were acceded to by the House.

First reading of bills.

H. B. No. 29—An act authorizing William Packwood to establish a bridge or ferry across the Nisqually river.

Was taken up and read a first time, and laid over to be printed.

Upon leave, Mr. Wood submitted the following report—

MR. SPEAKER:

The committee on Ways and Means to whom was referred H. J. R. No. 9—Relative to the employment of a joint enrolling clerk, have instructed me to report the same back and recommend its passage.

W. H. WOOD,
Chairman.

The question being upon the adoption of the report, the ayes and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Ferguson, Foster, Judson, Miles, Noyes, Savage, Short, Smith, Webster, Wood and Mr. Speaker—13.

Those voting in the negative, were—

Messrs. Jackson, McCall, Shead, Shelton, Shockley, Simmons, Swindall, Tennant, Weed, Williard and Yantis—11.

The report of the committee was therefore adopted, and the resolution laid over.

Business before the House.

H. B. No. 30—An act to exempt the homestead and other property from forced sale in certain cases.

Was taken up and read a first time, and laid upon the table to be printed.

Mr. Ferguson moved that the House do now adjourn.

Upon this motion the yeas and nays were demanded and the following was the result:

Those voting in the affirmative, were—

Messrs. Ferguson, Foster, Smith, Tennant and Webster—5.

Those voting in the negative, were—

Messrs. Brownfield, Chapman, Gile, Jackson, McCall, Savage, Shaffer, Shead, Shelton, Shockley, Short, Simmons, Swindall, Weed, Wood, Yantis and Mr. Speaker—17.

The motion to adjourn, lost.

Mr. Tennant now moved that the House do adjourn.

Carried, and the House adjourned.

J. T. TURNER,
Chief Clerk.

FRIDAY, December 23, 1859.

House met pursuant to adjournment.

Upon calling the roll the following members were found absent, to-wit:

Messrs. Henness, Knapp and Van Valzah.

The latter two gentlemen absent upon leave.

Journal of yesterday read and approved.

Upon leave, Mr. Simmons submitted the following report:

MR. SPEAKER:

The committee on Corporations to whom was referred H. B. No. 27, have had the same under consideration, and have instructed me to report the same back and recommend its passage.

A. H. SIMMONS,
Chairman.

The report received and laid upon the table.

Upon leave, Mr. Shaffer, introduced the following—

H. B. No. 31—An act to appoint officers for Chehalis county.

Which was read a first time and laid upon the table to be printed.

Upon leave, Mr. Brownfield submitted the following report:

MR. SPEAKER:

The joint committee on Enrolled bills have had under consideration—

H. M. No. 2—Relative to the survey of the public lands.

H. M., No. 6.—Praying an appropriation by Congress for a military road from Baker's Bay and Gray's Harbor to Port Townsend.

H. M., No. 8.—Relative to the erection of a lighthouse at Gray's Harbor, and to survey and buoy out its bar and channel.

H. B. No. 9—An act to incorporate Port Townsend Lodge, No. 6, Free and Accepted Masons.

H. M. No. 1—Relative to a military road from Seattle to Fort Colville.

H. M., No. 7.—Relative to the free navigation and improvement of Chehalis river.

H. B. No. 15—An act to establish an institution of learning in Walla Walla county.

H. B. No. 11—An act authorizing Stephen W. Babcock to establish a ferry across Snake river.

H. M. No. 3—Relative to overland mail route.

H. B. No. 19—An act to amend an act entitled an act to incorporate Olympia Lodge No. 5, Free and Accepted Masons.

H. B. No. 16—An act to amend an act entitled an act to incorporate Steilacoom Lodge No. 8, Free and Accepted Masons.

And have instructed me to report the same to be correctly enrolled.

D. F. BROWNFIED,

Chairman.

Report received and adopted, and the Speaker announced that he would at once proceed to sign the foregoing memorials and bills.

Upon leave, Mr. Miles submitted, in writing, the following "motion:"

Motion—That the Judiciary committee be instructed to report a bill to incorporate all religious societies or churches, with a provision to hold real estate to a limited extent.

The above motion was read by the Clerk and adopted, and the committee were so instructed.

Upon leave, Mr. Wood introduced—

H. B. No. 33—An act authorizing the board of commissioners of the several counties to regulate the road tax in their respective counties.

Bill read first time.

Mr. Furguson moved a suspension of the rules, and that the bill be read a second time now.

Lost.

Mr. Wood moved a call of the House.

Lost.

Bill was laid on the table and ordered printed.

Mr. Swindall moved that the House do now adjourn.

Carried, and the House adjourned in accordance with a joint resolution, till Tuesday the 3d day of January, 1860.

J. T. TURNER,
Chief Clerk.

TUESDAY, January 3rd, 1860.

Upon calling the roll the following members were found present, to-wit:

Messrs. Chapman, Ferguson, Gile, Jackson, Judson, Knapp, McCall, Miles, Noyes, Shaffer, Shead, Shelton, Shockley, Short, Simmons, Smith, Swindall, Tennant, Van Valzah, Webster, Weed, Willard, Yantis and Mr. Speaker—24.

The following members were found absent, viz:

Messrs. Brownfield, Chenoweth, Foster, Henness, Savage and Wood—6.

Journal of Friday, December 23d, 1859, was read and approved.

Mr. Henness made his appearance in the House to-day, and received the oath of office, administered by the Hon. Secretary of Washington Territory, and he was admitted to his seat.

Upon leave, Mr. Simmons introduced—

H. J. R. No. 10—Relative to the San Juan affair.

Resolution read a first time, and laid upon the table in order to be printed.

Upon leave, Mr. Van Valzah submitted a petition, signed by E. S. Fowler and 27 others, praying the Legislative Assembly to establish a Board of Pilot Commissioners on Puget Sound.

The petition was read and referred to the committee on Commerce.

Upon leave, Mr. Ferguson introduced—

H. B. No. 34—An act to locate the county seat of Sawamish county.

Bill read a first time and laid on the table to be printed.

Message from the Council by their Clerk:—

MR. SPEAKER:

I am instructed by the Council to inform the House of the passage of H. J. R. No. 3—Relative to the election of delegates to attend the Pacific Railroad Convention, to be held in California, in January next.

And that the following bills and memorials have received the signature of the President and they are herewith returned to the house in which they originated:

H. M., No. 2—"Relative to the survey of public land in Washington Territory."

H. M. No. 6—Praying for an appropriation by Congress for a military road from Baker's Bay, by Shoalwater Bay and Gray's Harbor, to Port Townsend.

H. M. No. 8—Relative to the erection of a lighthouse at Gray's Harbor, and to survey and buoy out its bar and channel.

H. B. No. 18—An act to dissolve the bonds of matrimony existing between William Donnelly and Bridget Donnelly.

H. M. No. 1—Relative to the establishment of a military road from Seattle, on Puget Sound, *via* Snoqualmie pass to Fort Colville.

H. B. No. 11—An act authorizing Stephen W. Babcock to establish a ferry on Snake river.

H. B. No. 15—An act to incorporate Whitman Seminary.

H. M. No. 3—Praying the establishment of an overland mail route, from Olympia *via* Vancouver and the Capital of Oregon, to the Capital of California.

H. M., No. 7—Relative to the free navigation and improvement of Chehalis river.

H. B. No. 9—An act to incorporate Port Townsend Lodge No. 6, Free and Accepted Masons.

H. B. No. 16—An act to amend an act to incorporate Steilacoom Lodge No. 8, Free and Accepted Masons.

H. B. No. 19—An act to amend an act to incorporate Olympia Lodge No. 5, of Free and Accepted Masons.

C. B. No. 8—An act to authorize the Secretary of the Territory to receive compensation for certificate and seal of office.

H. M., No. 13—Praying for the extension of public surveys east of the Cascade mountains.

H. B. No. 4—An act to create and organize the county of Klickitat.

H. M. No. 5—Relative to additional appropriation to complete military road from Fort Walla Walla to Fort Benton.

H. B. No. 3—"An act to dissolve the bonds of matrimony existing between William W. Davis and Alice Davis."

C. B. No. 7—An act to dissolve the bonds of matrimony existing between Jacob Hans and Caroline Hans.

H. M. No. 4—Praying for a change of service between the U. S. steamers *Massachusetts* and *Shubrick*.

ANDREW J. MOSES,
Chief Clerk.

Second reading of bills.

H. B. No. 30—An act to exempt the homestead and other property from forced sale in certain cases.

Bill read a second time, and

On motion of Mr. Miles,

Was referred to committee on Judiciary.

H. B. No. 29—An act authorizing William Packwood to establish a bridge or ferry across the Nisqually river.

Bill read a second time.

Mr. Ferguson moved to refer the bill to the committee on Corporations.

Pending which motion, Mr. Chapman moved to amend by referring the bill to a select committee of four members.

Motion lost, when,

On motion of Mr. Shead,

The bill was referred to the committee on Roads and Highways.

Third reading of bills.

H. B. No. 27—An act authorizing George Knaggs to establish a ferry across the Columbia river.

Bill read a third time and passed, and title approved.

Business from the Council.

C. B. No. 8—An act to authorize the Secretary of Washington Territory to receive compensation for certificate and seal of office.

Bill read a first time.

Mr. Chapman moved that the rules be suspended, and that the bill be read a second time now.

Lost, and the bill was therefore laid over.

H. J. R. No. 9—Relative to the employment of an Enrolling Clerk.
Was taken up and read a third time.

The question being, "shall the resolution pass,"

The yeas and nays were demanded by Mr. Tennant, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Shaffer, Short, Smith and Webster—4.

Those voting in the negative, were—

Messrs. Chapman, Gile, Henness, Jackson, Knapp, McCall, Miles, Shead, Shelton, Shockley, Simmons, Swindall, Tennant, Van Valzah, Yantis and Mr. Speaker—16.

The House, therefore, refused to pass the resolution.

Upon leave, Mr. Van Valzah introduced—

H. B. No. 35—An act to incorporate the city of Port Townsend.

Bill read a first time and referred to the committee on Corporations.

On motion of Mr. Tennant,

The House adjourned.

J. T. TURNER,
Chief Clerk.

WEDNESDAY, January 4th, 1860.

House met pursuant to adjournment.

Upon calling the roll the following members were found to be absent, to-wit:

Messrs. Brownfield, Chenoweth, Foster and Savage.

Journal of yesterday read and approved.

Upon leave, Mr. Wood introduced a petition, signed by J. O. Meeker and 72 others, praying the Legislative Assembly to grant unto John Carson a charter for the erection of a bridge across the Puyallup river.

Mr. Wood, also, introduced—

H. B. No. 36—An act to authorize John Carson to construct a bridge across the Puyallup river, in Pierce county.

Bill read a first time, and laid over to be printed.

Upon leave, Mr. Wood also introduced—

H. B. No. 37—An act to authorize John Walker to establish a ferry across the Puyallup river, in Pierce county.

This bill was also accompanied by a petition, signed by Archibald McMillan and 90 others, citizens of Pierce county, praying the Legislative Assembly to grant unto said John Walker the right to establish said ferry.

Bill read a first time, and ordered to be printed.

Reports of standing committees.

Mr. Simmons, from the Committee on Enrolled Bills, upon leave submitted the following report:

MR. SPEAKER :

The committee on Enrolled Bills have examined the following bills, and find them correctly enrolled:

C. B. No. 4—An act to provide for election returns in certain Council and Representative Districts.

C. B., No. 1—"An act to authorize Joseph Eaton to establish a ferry across the Cathlapoodle river, in Clarke county."

Also, C. B., No. 7—An act to dissolve the bonds of matrimony between Jacob Hans and Caroline Hans.

C. B. No. 2—An act to amend an act, entitled an act additional to an act, entitled an act to amend an act establishing a common school system in the Territory of Washington.

Substitute for H. B. No. 7—An act authoring Richard H. Reigart to establish a ferry on the Columbia river, in Spokane county.

C. B. No. 9—An act to amend an act entitled an act to incorporate the Cascade Railroad Company.

C. B., No. 6—An act, entitled, an act to incorporate the Dalles Portage Company.

H. M., No. 5—"Relative to an additional appropriation for completing the military road from Fort Walla Walla to Fort Benton."

H. M. No. 13—Praying for the extension of the public surveys east of the Cascade Mountains.

A. H. SIMMONS,
Chairman.

Report received and adopted.

Upon leave, Mr Gile introduced—

H. B. No. 38—An act to legalize the assessment of Pacific county.
Read a first time and ordered to be printed.

Upon leave, Mr. Wood introduced—

H. B. No. 39—An act to establish a territorial road from Olympia, in the county of Thurston, to Steilacoom, in the county of Pierce.
Bill read a first time, and ordered to be printed.

Upon leave, Mr. Smith introduced—

H. B. No. 40—An act to create and organize the county of Spokane.
Bill read a first time, and laid over to be printed.

Upon leave, Mr. Miles introduced—

H. B. No. 41—An act to incorporate the First Presbyterian Church of Olympia.
Bill read a first time, and ordered to be printed.

Upon leave, Mr. Miles introduced—

H. B. No. 42—An act defining the jurisdiction and practice in the Probate Courts in Washington Territory.

Upon motion of Mr. Tennant,

The reading of the bill was dispensed with on account of its prolixity, and was laid over, and 50 extra copies ordered to be printed.

Business from the Council.

The Reports of the Territorial Auditor and Treasurer, having been on this day, presented to the Legislative Assembly, are here inserted as follows:

OFFICE TERRITORIAL AUDITOR,

OLYMPIA, W. T., Dec. 31, 1859.

*To the Honorable,**The Legislative Assembly of the Territory of Washington:—*

GENTLEMEN:—

I herewith very respectfully submit my annual report for the past fiscal year, ending Decembre 31st, 1859:

To cash on hand, Dec. 31, 1858.....	\$ 914 21
To amount paid into Treasury from January 1st, to February 1st, 1859, was.....	271 40
Making the total sum of.....	<u>1,185 61</u>
The disbursements from the Treasury during the same period, has been.....	306 52
Thus leaving a balance in Treasury, Feb. 1, 1859,	879 09
To amount paid into the Treasury from Feb. 1st to Dec. 31st, 1859, has been.....	\$2,099 57
Making the total sum of.....	<u>2,978 66</u>
The amount disbursed from Feb. 1st to Dec. 31st, 1859, has been.....	1,475 04
Thus leaving a balance in the Treasury, December 31st, 1859, of.....	<u><u>1,503 60</u></u>
Amount of Auditor's warrant remaining unpaid.....	81 00

See statement marked "B," for particulars respecting this warrant.

The Territorial Revenue for the next fiscal year, if complete assessments and full collections are made by the several counties, will probably reach two thousand dollars, but it will be recollected that the tax is only one quarter of a mill, which has thus reduced the amount of Territorial revenue collected in 1859 very considerable.

The liabilities of the Territory for the next fiscal year, will, in all probability exceed the amount to be collected under the existing laws, and I will here remark, that judging from the past fiscal year's expenditures, the amount of revenue to be collected, together with the amount of funds on hand, will be amply sufficient to meet all demands.

It will be seen by reference to "Statement C," herewith appended, that most of the counties are indebted to the Territory in a very considerable amount, and from all the information I can gather, it is owing to a return being made by the tax collectors of the impossibility to collect so much of the revenue charged against their counties. And in this connection, I would respectfully suggest that some alteration be made in our laws, providing for Territorial revenue. As far as I am able to judge, from the books in my office, the delinquent Territorial tax has never been paid into the treasury—whether the amounts returned as delinquent by the several county treasurers have ever been collected or not, does not appear from any of the reports of those officers. It would be well to have this matter investigated, and a remedy applied if practicable.

Much might be said in reference to the manner in which settlements are made by officers to this office; but as the facts are here exhibited, cannot but call the speedy action of the Legislature in the premises.

All of which is respectfully submitted,

ANDREW J. MOSES,
Territorial Auditor.

STATEMENT "A."

Territorial Treasurer,

in account with Washington Territory,

Dr.

1858.

Dec. 31, To cash on hand,	-	-	-	-	\$914 21
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1859.

Jan. 15, To amount received from Treasurer of Clalm County					
as part of revenue for 1857,	-	-			7 00
" " To do. do. for 1858,	-	-	-	-	3 00
" 17, " " " "	-	-	-	-	12 50
" 19, To amount received from Treasurer of Clarke County					
as part of revenue for 1858,	-	-			147 19
To amount deposited by Geo. Brown, administrator of					
the estate of Hugh Hunter, deceased,	-				101 74
Total Dr. to January 1st, 1859,	-	-			\$1,185 61

1859.

Feb. 1, Cr. by amount of warrants redeemed,	-	-			306 51
Balance on hand Feb. 1st, 1859,	-	-			\$879,09

May 10,	To amount received of Treasurer of Cowlitz County as revenue for 1858,	-	-	-	113	88
" "	To amount received of Treasurer of Thurston County as revenue for 1858,	-	-	-	100	00
June 9,	To amount received of Treasurer of Sawamish County as revenue for 1858,	-	-	-	31	00
" 16,	To amount received of Treasurer of Kitsap County as revenue for 1858,	-	-	-	206	57
" 18,	To amount received of Treasurer of King County as revenue for 1858,	-	-	-	67	65
" 23,	To amount received of Treasurer of Lewis County as revenue for the years 1857 and '8,	-	-	-	261	19
" 27,	To amount received of Treasurer of Pierce County as revenue for the years 1857 and '8,	-	-	-	812	00
" 21,	To amount received of Treasurer of Wahkiacum County as revenue for 1858,	-	-	-	12	62
" 27,	To amount received of Treasurer of Whatcom County as revenue for the years 1857 and '8,	-	-	-	48	87
" 21,	To amount received of Treasurer of Jefferson County,				21	31
Aug. 20,	To amount received of Treasurer of Thurston County as revenue of 1858,	-	-	-	4	94
Dec. 3,	To amount received of Treasurer of Kitsap County as revenue for 1859,	-	-	-	80	00
" 5,	To amount received of Treasurer of Jefferson County as revenue for 1859,	-	-	-	57	50
" "	To amount received of Treasurer of Thurston County as revenue for 1859,	-	-	-	124	75
" "	To amount received of Treasurer of Sawamish County as revenue for 1859,	-	-	-	6	00
" 12,	To amount received of Treasurer of King County as revenue for 1858-9,	-	-	-	34	85
" "	To amount received of Treasurer of Wahkiacum County as revenue for 1856,	-	-	-	14	27
" "	To amount received of Treasurer of Wahkiacum County as revenue for 1857,	-	-	-	18	45
" "	To amount received of Treasurer of Wahkiacum County as revenue for 1859,	-	-	-	2	50
" 31,	To amount received of Treasurer of Chehalis County as revenue for 1857,	-	-	-	18	73

Dec. 31, To amount received of Treasurer of Clarke County as revenue for 1858,	-	-	-	-	62 50
Total received Dec. 31st, 1859,	-	-	-	-	\$2,978 66
Cr. by warrant redeemed, including Treasurer's per centage,	-	-	-	-	1,475 04
1860.					=====
Jan. 1, To balance on hand,	-	-	-	-	\$1,503 62

STATEMENT "B."

SHOWING THE AMOUNTS PAID UPON WARRANTS DRAWN UPON THE
TREASURY, AND UPON WHAT ACCOUNT.

1859.

Jan. 1, Warrant No. 20, to B. P. Anderson, for services as Ter- ritorial Attorney, for the quarter ending Dec. 31, 1858,	-	-	-	-	150 00
" 19, Warrant No. 21, in favor of Clarke County, on account of transportation of arms,	-	-	-	-	147 16
Feb. 1, By Treasurer's per centage since last report,	-	-	-	-	9 36
Total redeemed Feb. 1st, 1859,	-	-	-	-	\$306 52
Feb. 7, Warrant No. 1, to Joel Riden, for cleaning Territorial arms,	-	-	-	-	45 00
" 22, Warrant No. 2, to J. E. Whitworth, for stationery fur- nished,	-	-	-	-	18 94
March 28, Warrant No. 3, to B. Harned, for materials furnished in repairing block house, for the safe keeping of books and papers connected with the late Indian war, as per act of the Legislature, passed 1858-9,					226 19
" 28, Warrant No. 4, to B. Harned, for materials furnished and repairing block house, for the safe keeping of books and papers connected with the late Indian war, as per act of the Legislature, passed 1858-9,					54 00
April 1, Warrant No. 5, to B. P. Anderson, for services as Ter- ritorial Attorney, for the quarter ending March 31, 1859,	-	-	-	-	150 00
" 30, Warrant No. 6, to Andrew J. Moses, for services as Territorial Auditor, for three months ending April 30, 1859,	-	-	-	-	18 76

May 10, Warrant No. 7, to Maj. G. O. Haller, for keeping and subsisting three prisoners convicted and sentenced by order of the district court, 1st Judicial District, W. T.,	-	-	-	-	-	268 50
June 30, Warrant No. 8, to B. P. Anderson, for services as Territorial Attorney, for the quarter ending June 30, 1859,	-	-	-	-	-	150 00
July 6, Warrant No. 9, to Rufus Willard, postage on official papers,	-	-	-	-	-	7 10
“ 29, Warrant No. 10, to G. W. French, for lightering and storage of four tons of public arms,	-	-	-	-	-	10 00
“ 31, Warrant No. 11, to Andrew J. Moses, for services as Territorial Auditor, for three months ending July 31, 1859,	-	-	-	-	-	18 75
Aug. 16, Warrant No. 12, to G. W. French, for lightering public arms,	-	-	-	-	-	2 87
“ 18, Warrant No. 13, to J. E. Whitworth, for stationery furnished,	-	-	-	-	-	10 62
“ 20, Warrant No. 14, to Edward Furste, for printing blank assessment and statistical rolls for the use of this office,	-	-	-	-	-	45 00
Sept. 30, Warrant No. 15, to B. P. Anderson, for services as Territorial Attorney, for the quarter ending Sept. 30, 1859,	-	-	-	-	-	150 00
Oct. 31, Warrant No. 16, to Andrew J. Moses, for services as Territorial Auditor, for three months ending Oct. 31, 1859,	-	-	-	-	-	18 75
Nov. 11, Warrant No. 17, to J. F. Whitman, for keeping and subsisting Lewis Lovejoy, convicted and sentenced by order of the district court of the county of Pierce, W. T.,	-	-	-	-	-	30 00
“ 12, Warrant No. 18, to G. K. Willard, for materials furnished the block house, for the safe keeping of the papers and books connected with the late Indian war, as per act of the Legislature, passed 1858-9,	-	-	-	-	-	13 25
Dec. 31, Warrant No. 19, to B. P. Anderson, for services as Territorial Attorney, for the quarter ending Dec. 31, 1859,	-	-	-	-	-	150 00
“ “ Treasurer's per centage on amount received and disbursed,	-	-	-	-	-	37 32
Total amount of warrants issued,	-	-	-	-	-	<u>\$1,781 56</u>

Total amount redeemed, including Treasurer's per centage, - - - - - \$1,781 56

There is still a warrant on file in this office, drawn in favor of Lewis County, for the sum of \$81, the condition of which I am unable to say, and would therefore suggest the propriety of the Legislature taking some action to dispose of the same.

STATEMENT "C."

SHOWING THE AMOUNT OF THE TOTAL INDEBTEDNESS OF EACH COUNTY OVER AND ABOVE ALL CREDITS, SO FAR AS HAS BEEN REPORTED, AS APPEARS UPON THE BOOKS OF THIS OFFICE:

Clarke county, total indebtedness	- - - - -	\$ 317 45
Cowlitz county, total indebtedness	- - - - -	50 83
Clalm county, total indebtedness, (no returns prior to 1858, none for 1859	- - - - -	13 87
Chehalis county, total indebtedness, (no returns for 1854-5,)		15 75
Island county, total indebtedness	- - - - -	391 36
Jefferson county, total indebtedness, (no returns for 1854,)	- - - - -	91 77
King county, total indebtedness, (no returns for 1854,)	- - - - -	59 65
Kitsap county, total indebtedness	- - - - -	55 87
Lewis county, total indebtedness, (a warrant remaining in this office subject to the order of said county for \$81,)		256 60
Pacific county, total indebtedness, (no returns for 1856-7-8.)		48 86
This county has never paid any revenue.		
Skamania county, total indebtedness for 1855, (no returns for 1856-7-8-9. This county has never paid any revenue,)	- - - - -	31 13
Spokane county, (no returns has been received from this county.)		
Thurston county, total indebtedness	- - - - -	229 00
Walla-walla county, total indebtedness for 1859, (no returns prior,)	- - - - -	38 33
Whatcom county, total indebtedness	- - - - -	115 34
Total amount	- - - - -	<u>\$1,715 81</u>

There are only three counties whose accounts balance upon the books of this office:—Pierce, Sawamish, and Wahkiakum.

It will be seen by reference to the foregoing statement; taken in connection with the report of 1858, that the sum of fifteen hundred and fifty

eight dollars and twenty-nine cents, has been paid into the treasury by the several counties that were reported delinquent at that date.

STATISTICAL REPORT.

It will be seen that but little pains has been taken by but few county assessors to obtain a correct and full report, and such that have reported are herewith submitted:—

CLARKE COUNTY.

Number of persons assessed	-	-	-	-	454
“ persons subject to poll tax	-	-	-	-	395
“ white male inhabitants	-	-	-	-	763
“ white female inhabitants	-	-	-	-	497
“ white males under 21 years of age	-	-	-	-	314
“ white females under 18 years of age	-	-	-	-	274
Total white population	-	-	-	-	1260
Total value of property assessed	-	-	-	\$527,442	00
Number of horses	-	-	-	-	693
“ mules	-	-	-	-	18
“ neat cattle	-	-	-	-	4400
“ sheep	-	-	-	-	362
“ hogs	-	-	-	-	1290
Number of acres of land in wheat	-	-	-	-	604
“ “ “ oats	-	-	-	-	1077½
“ “ “ rye	-	-	-	-	40
“ “ “ barley	-	-	-	-	52
“ “ “ peas	-	-	-	-	194
“ “ “ potatoes	-	-	-	-	178
“ “ “ corn	-	-	-	-	59
“ “ “ buckwheat	-	-	-	-	23
“ “ “ timothy	-	-	-	-	502½
“ “ “ clover	-	-	-	-	75½
“ “ “ blue grass	-	-	-	-	2
“ fruit trees—apples	-	-	-	29,388	
“ “ “ cherry	-	-	-	1,497	
“ “ “ pears	-	-	-	1,806	
“ “ “ quince	-	-	-	281	
“ “ “ plum	-	-	-	1,787	

Number of fruit trees—apricot	-	-	-	51
“ “ “ peach	-	-	-	2,645
“ “ “ Siberian crab	-	-	-	107
				<hr/>
Total number fruit trees	-	-		37,562
Number of lumber mills	-	-	-	8
Value of lumber mills	-	-	-	\$14,189 00
Number of flour mills	-	-	-	1
Value of flour mills	-	-	-	\$2,000 00
Number of steam vessels	-	-	-	2
“ stores	-	-	-	47
“ churches	-	-	-	2
“ schools	-	-	-	19
Amount of gold dust	-	-	-	\$325
Number of bee hives	-	-	-	51
Number of acres of land taken by donation and pre-emption				63,298

CHEHALIS COUNTY.

Number of persons assessed	-	-	-	112
“ subject to poll tax	-	-	-	101
“ white males	-	-	-	139
“ white females	-	-	-	72
Total number of white population	-			211
“ value of real estate	-	-		\$20,280 00
“ “ personal property	-			\$42,728 00
“ “ property assessed	-			\$63,008 00
Number of horses	-	-	-	47
“ neat cattle	-	-	-	811
“ hogs	-	-	-	615
“ acres of land in wheat	-	-		172
“ “ “ oats	-	-	-	158
“ “ “ peas	-	-	-	107
“ “ “ potatoes	-	-	-	51
“ sail vessels	-	-	-	55

COWLITZ COUNTY.

Number of persons assessed	-	-	-	170
“ “ subject to poll tax	-	-	-	143
“ white males	-	-	-	270
“ “ females	-	-	-	187
“ “ males under 21 years of age	-	-	-	100

Number of white females under 18 years of age	-	-	-	-	-	121
Total number of white population	-	-	-	-	-	443
" value of real estate	-	-	-	-	-	\$80,600 00
" " personal property	-	-	-	-	-	\$74,503 00
" " property assessed	-	-	-	-	-	\$155,103 00
Number of horses	-	-	-	-	-	140
" neat cattle	-	-	-	-	-	1467
" sheep	-	-	-	-	-	253
" hogs	-	-	-	-	-	365
" acres of land in wheat	-	-	-	-	-	68
" " " oats	-	-	-	-	-	106
" " " rye	-	-	-	-	-	3
" " " barley	-	-	-	-	-	14
" " " peas	-	-	-	-	-	121
" " " potatoes	-	-	-	-	-	42
" fruit trees	-	-	-	-	-	12,616
" lumber mills	-	-	-	-	-	1
" flour mills	-	-	-	-	-	1
Total number of acres of taxable land	-	-	-	-	-	1,079

ISLAND COUNTY.

Number of persons assessed	-	-	-	-	-	146
" persons subject to poll tax	-	-	-	-	-	132
" white male inhabitants	-	-	-	-	-	185
" white female inhabitants	-	-	-	-	-	72
" white males under 21 years of age	-	-	-	-	-	47
" white females under 18 years of age	-	-	-	-	-	33
Total white population	-	-	-	-	-	257
Total value of property assessed	-	-	-	-	-	\$128,074 00
Number of horses	-	-	-	-	-	90
" neat cattle	-	-	-	-	-	809
" sheep	-	-	-	-	-	150
" hogs	-	-	-	-	-	544
" acres of wheat	-	-	-	-	-	373
" " oats	-	-	-	-	-	534
" " barley	-	-	-	-	-	14
" " peas	-	-	-	-	-	36
" " potatoes	-	-	-	-	-	144
" lumber mills	-	-	-	-	-	2
Value of lumber mills	-	-	-	-	-	\$22,000 00
Number of sail vessels	-	-	-	-	-	1

Number of stores	-	-	-	-	-	-	2
“ churches	-	-	-	-	-	-	1
“ schools	-	-	-	-	-	-	2
“ acres of land taken by donation and pre-emption							117,010

JEFFERSON COUNTY.

Number of persons assessed	-	-	-	-	-	197
“ persons subject to poll tax	-	-	-	-	-	174
“ white male inhabitants	-	-	-	-	-	51
“ white female inhabitants	-	-	-	-	-	50
“ males under 21 years of age	-	-	-	-	-	26
“ females under 18 years of age	-	-	-	-	-	25
Total white population	-	-	-	-	-	99
Value of real estate	-	-	-	-	-	\$50,760 00
Value of personal property	-	-	-	-	-	\$60,442 00
Total value assessed	-	-	-	-	-	\$111,202 00
Number of horses	-	-	-	-	-	17
“ neat cattle	-	-	-	-	-	178
“ sheep	-	-	-	-	-	3
“ hogs	-	-	-	-	-	73
“ acres of land in wheat	-	-	-	-	-	67½
“ “ “ oats	-	-	-	-	-	98
“ “ “ rye	-	-	-	-	-	40
“ “ “ peas	-	-	-	-	-	6
“ “ “ potatoes	-	-	-	-	-	33
“ lumber mills	-	-	-	-	-	3
Amount of cash on hand	-	-	-	-	-	\$600
Number of sail vessels	-	-	-	-	-	10
“ stores	-	-	-	-	-	4

KITSAP COUNTY.

Number of persons assessed	-	-	-	-	-	409
“ persons subject to poll tax	-	-	-	-	-	381
“ white male inhabitants	-	-	-	-	-	405
“ white female inhabitants	-	-	-	-	-	44
“ males under 21 years of age	-	-	-	-	-	25
“ females under 18 years of age	-	-	-	-	-	14
Total white population,	-	-	-	-	-	449
Total value of property assessed,	-	-	-	-	-	\$361,994 00
Number of mules	-	-	-	-	-	15

Number of neat cattle	-	-	-	-	-	171
“ hogs	-	-	-	-	-	45
“ apple trees	-	-	-	-	-	200
“ lumber mills	-	-	-	-	-	6
Value of lumber mills	-	-	-	-	\$108,009	00
Number of steam vessels	-	-	-	-	-	1
“ sail vessels	-	-	-	-	-	9
“ stores	-	-	-	-	-	4

KING COUNTY.

Number of persons assessed	-	-	-	-	155
“ “ subject to poll tax	-	-	-	-	130
“ white male inhabitants	-	-	-	-	130
“ “ female inhabitants,	-	-	-	-	31
“ “ males under 21 years of age	-	-	-	-	34
“ “ females under 18 years of age	-	-	-	-	29
Total white population	-	-	-	-	225
Value real estate	-	-	-	-	\$70,650
Value personal property	-	-	-	-	\$80,523
Total value of property	-	-	-	-	\$151,173
Number of horses	-	-	-	-	55
“ mules	-	-	-	-	13
“ neat cattle	-	-	-	-	244
“ hogs	-	-	-	-	93
“ acres of wheat	-	-	-	-	94
“ acres of oats	-	-	-	-	81
“ acres of rye	-	-	-	-	54
“ acres of barley	-	-	-	-	53
“ acres of peas	-	-	-	-	96
“ acres of potatoes	-	-	-	-	82
“ lumber mills	-	-	-	-	1
Value of lumber mill	-	-	-	-	\$5,000
Number of stores	-	-	-	-	5
“ churches	-	-	-	-	1
“ schools	-	-	-	-	1

LEWIS COUNTY.

Number of persons assessed.....	142
“ “ subject to poll tax.....	105

Number of white males.....	104
“ “ females	41
“ “ males under 21 years of age.....	70
“ “ females under 18 years of age	51
Total white population.....	266
Total value of property assessed.....	\$251,357
Number of horses.....	263
“ mules.....	8
“ neat cattle.....	1050
“ sheep.....	362
“ hogs.....	522
Number of acres of land in wheat.....	1015
“ “ “ oats.....	1264
“ “ “ peas.....	156
“ “ “ potatoes.....	36
Number of fruit trees, various kinds.....	25,009
“ lumber mills.....	2
Value of lumber mills.....	\$6,000
Number of flour mills.....	1
Value of flour mill.....	\$3,000
Value Puget Sound Agricultural Co.....	\$35,000
Number of stores.....	4
“ churches.....	1
“ schools.....	7

PIERCE COUNTY.

Total value of property assessed.....	\$493,783
Number of white male inhabitants.....	342
“ “ female “	183
“ “ males under 21 years of age.....	125
“ “ females under 18 years of age.....	106
Total white population.....	525
Number of horses.....	736
“ mules.....	4
“ neat cattle.....	2001
“ sheep.....	5098
“ hogs.....	516
Number of acres of land in wheat.....	1629
Value Puget Sound Agricultural Company.....	\$563,250
Number of stores.....	10

Number of churches.....	2
“ schools.....	4
“ acres of taxable land.....	546

PACIFIC COUNTY.

Number of persons assessed.....	95
“ “ subject to poll tax	76
“ white male inhabitants.....	82
“ “ female “	38
“ “ males under 21 years of age.....	36
“ “ females under 18 years of age.....	42
Total white population.....	199
Total value property assessed.....	\$69,467
Number of horses.....	62
“ mules	1
“ neat cattle.....	501
“ sheep	138
“ hogs.....	15
“ acres of land in oats.....	320
“ “ “ barley.....	25
“ bushels of potatoes.....	560
“ lumber mills.....	1
Value of lumber mill.....	\$250
Number of stores.....	2
Number of acres of taxable land.....	11,469

SAWAMISH COUNTY.

Number of persons assessed.....	106
“ “ subject to poll tax.....	106
“ white male inhabitants.....	122
“ white female “	23
“ white males under 21 years of age.....	19
“ “ females “ 18 years of age.....	14
Total white population.....	151
Total value of real estate.....	\$22,450
Total value of personal property.....	\$7,678
Number of horses.....	14
“ neat cattle.....	164
“ hogs	90

Number of acres of land in timothy	10
“ “ “ wheat.....	7
“ “ “ oats.....	5
“ “ “ barley.....	2
“ “ “ peas.....	8
“ “ “ potatoes.....	46
Number of apple trees.....	2455
“ pear trees.....	33
“ cherry trees.....	46
“ plum trees.....	10
“ apricot trees.....	2
“ peach trees.....	60
Number of lumber mills.....	2
Value of lumber mills.....	\$5,000
Number of sail vessels.....	2
Number of acres of land taken by donation and pre-emption....	4770
Total value property assessed.....	\$674,360

THURSTON COUNTY.

No statistical report from this county for 1859.

WHATCOM COUNTY.

Number of persons assessed - - - - -	237
“ “ subject to poll tax - - - - -	113
“ white male inhabitants - - - - -	123
“ white female inhabitants - - - - -	24
“ white males under 21 years of age - - - - -	12
“ white females under 18 years of age - - - - -	10
Total white population - - - - -	149
Total value of town lots - - - - -	\$5,003
Total value of property assessed - - - - -	\$113,294
Number of neat cattle - - - - -	64
“ sheep - - - - -	4000
“ hogs - - - - -	53
Number of acres of land in oats - - - - -	40
“ “ “ peas - - - - -	30
“ “ “ potatoes - - - - -	10
“ fruit trees, assorted kinds - - - - -	2500
“ lumber mills - - - - -	1
“ sail vessels - - - - -	3

Number of coal mines	-	-	-	-	-	-	-	3
“ stores	-	-	-	-	-	-	-	9
“ acres of taxable lands			-	-	-	-	-	3300

WAHKIAKUM COUNTY.

Number of persons assessed	-	-	-	-	-	-	16
“ “ subject to poll tax			-	-	-	-	12
Number of white male inhabitants			-	-	-	-	31
“ “ female inhabitants			-	-	-	-	9
“ “ males under 21 years of age			-	-	-	-	12
“ “ females under 18 years of age			-	-	-	-	2
Total white population			-	-	-	-	40
Total value of property	-	-	-	-	-	-	\$10,000
Number of horses	-	-	-	-	-	-	19
“ mules	-	-	-	-	-	-	1
“ neat cattle	-	-	-	-	-	-	116
“ sheep	-	-	-	-	-	-	180
“ hogs	-	-	-	-	-	-	22
“ acres in wheat	-	-	-	-	-	-	5
“ acres in oats	-	-	-	-	-	-	18
“ acres in timothy	-	-	-	-	-	-	46
“ acres in buckwheat	-	-	-	-	-	-	1
“ acres in corn	-	-	-	-	-	-	1½
“ acres in potatoes	-	-	-	-	-	-	12
“ stores	-	-	-	-	-	-	1
“ fruit trees	-	-	-	-	-	-	1370

WALLA-WALLA COUNTY.

Total value of property assessed..... \$153,314
No statistical report from this county for the present year.

This includes all of the statistical information forwarded to this office by the several County Auditors; which from a portion of the counties is very incomplete, and evidently exhibits the fact that carelessness is the cause, and a remedy should be provided compelling the Assessors to obtain a full statistical report at the time of assessing.

TERRITORIAL TREASURER'S OFFICE,
Olympia, W. T., Dec. 31, 1859. }

To the Hon. the Legislative Assembly of the Territory of Washington:

In obedience to the requirements of law I herewith submit to your honorable body the following report, as Territorial Treasurer for the year 1859:

D. L. PHILLIPS, Territorial Treasurer,
in account with Territory of Washington,

1859.	To balance on hand Dec. 22d, 1858,.....	\$914 21
Jan'y 15.	To cash from Treasurer of Clalm county, territorial tax for 1857,.....	7 00
"	To " " " " for 1858	3 00
" 17.	To " " " " "	12 50
" 19.	To cash from Treasurer of Clarke county, territorial tax for 1858,.....	147 16
To cash received from George Brown, administrator of the estate of Hugh Hunter, deceased, late of Pierce county,.....		101 74
Total.....		<u>\$1185 61</u>

1859.	CONTRA	CR.
Jan'y 1.	By cash paid B. P. Anderson for warrant No. 20, of 1858.....	\$150 00
" 19.	By cash paid Clarke county on No. 21,.....	147 16
Feb. 1.	By cash paid D. L. Phillips, Territorial Treasurer, as per centage on receipts and disbursements since making annual report, at 2 per cent.....	9 36
"	By cash on hand and delivered over to Wm. Rutledge, Territorial Treasurer,.....	879 09
	Total,.....	<u>\$1185 61</u>

The above account was not reported to the Legislature, and the committee having found a delinquency, or rather a difference between the report of the Auditor and that of the Treasurer, ascertained that fact, and made out the account, and annexed it to the account of the late treasurer, Wm. Rutledge, Jr., Esq.

WM. H. WOOD,
Chairman Committee Ways and Means.

WILLIAM RUTLEDGE, Territorial Treasurer,

In account with the Territory of Washington,

1859.

Feb. 2.	For amount received from D. L. Phillips, late Territorial Treasurer,.....	\$879 09
March 1.	Amount received from G. K. Willard, Treasurer of Thurston county, as territorial funds for year 1858..	100 00
April 25.	Amount received from Phillip Keach, Treasurer of Pierce county, as territorial funds for year 1858...	812 00
May 10.	Amount received from Seth Catlin, territorial funds for the year 1858.....	113 88
June 9.	Amount received from Wm. M. Morrow, territorial funds of Sawamish county for year 1858,.....	31 00
" 16.	Amount received of G. A. Meigs, deputy Treasurer of Kitsap county, territorial funds for year 1858...	206 57
" 18.	Amount received from M. D. Woodin, Treasurer of King county, territorial funds for year 1858.....	67 65
" 23.	Amount received from John Moore, treasurer of Lewis county, territorial funds for year 1858.....	261 19
" 23.	Amount received from Wm. Utter, treasurer of Whatcom co., territorial funds for years 1857-8.....	48 86
" 21.	Amount received from W. T. Jackson, treasurer of Wahkiakum co., territorial funds for year 1858....	12 60
1859.		
July 21.	Amount received from E. S. Fowler, treasurer of Jefferson county.....	\$21 31
Aug 20.	Amount received from G. K. Willard, treasurer of Thurston co., territorial funds for year 1858,.....	4 94
July 1.	Amount received from Hon. O. B. McFadden, territorial funds for year 1858, for Clarke county.....	62 50
Dec. 3.	Amount received from G. A. Meigs, as taxes for 1859, of Kitsap county,.....	80 00
" 5.	Amount received from E. S. Fowler as taxes for 1859, of Jefferson county,.....	57 50
Dec. 5.	Amount received from G. K. Willard, taxes for 1859, of Thurston county,.....	124 75
" 8.	Amount received from W. M. Morrow, taxes for 1859, of Sawamish county,.....	6 00
" 8.	Amount received from C. McCall, of Wahkiakum co., as follows: taxes for 1856, \$14 27; do 1857, \$18 45; do 1859, \$2 50,.....	35 22

" 8.	Amount received from D. P. Denny, of King county, as follows: taxes for 1858, \$5 76; do 1859, \$29 09,	34 85
" 31.	Amount received from Jas. R. Johnson, Treasurer of Chehalis county for 1857,.....	18 73
Total.....		<u>\$2,978 64</u>

1859.

CREDIT.

Feb. 9.	By amount paid on warrant No. 1, for cleaning and repairing arms,.....	\$ 45 00
" 23.	Amount paid warrant No. 2, for stationery for Audi- tor's office,.....	18 94
M'ch 28.	Amount paid warrant No. 3, for fitting up building to preserve book and papers of the Territory.....	226 19
28.	Amount paid warrant No. 4, for same purposes.....	54 00
Ap. 12.	Amount paid warrant No. 5, to B. P. Anderson,....	150 00
	Amount paid on warrant No. 6, to A. J. Moses, salary	18 75
May 14.	Amount paid on warrant No. 7, to aid of Major Haller for keeping prisoners,.....	268 50
June 30.	Amount paid on warrant No. 8, to Butler P. Ander- son.....	150 00
July 6.	Amount paid on warrant No. 9, to Rufus Willard,..	7 10
" 29.	Amount paid on warrant No. 10, to G. W. French,..	10 00
" 31.	Amount paid on warrant No. 11, to A. J. Moses....	18 75
Aug 16.	Amount paid on warrant No. 12, to G. W. French..	2 87
16.	Amount paid on warrant No. 13, to J. E. Whitworth,	10 62
20.	" " 14, to Edward Furste,.	45 00
Sep. 30.	" " 15, to B. P. Anderson.	150 00
Oct 31.	" " 16, to A. J. Moses....	18 75
Nov 11.	" " 17, to J. F. Whitworth	30 00
12.	" " 18, to G. K. Willard..	13 25
Dec 31.	" " 19, to B. P. Anderson,.	150 00
31.	By cash paid Wm. Rutledge, Territorial Treasurer, as per centage on receipts and disbursements, at 2 per cent.....	87 32
Total.....		<u>\$1,475 05</u>
Leaving balance in Treasury Dec. 31, 1859, of.....		<u>\$1,503 60</u>

In accordance with Section 4 of "An act to establish the amount, and provide for the payment of costs in certain cases," passed January 28, 1857, I have received from the Auditor of Pierce county a bill of costs

amounting to \$105 34, in the case of the Territory of Washington vs. Louis Lovejoy, convicted and sentenced to the Penitentiary for grand larceny.

By the provisions of this law, Pierce county is entitled to credit for this amount, as so much paid on account of the Territorial Tax; which amount is charged to the "Penitentiary labor fund."

All of which is respectfully submitted,

WILLIAM RUTLEDGE,
Territorial Treasurer.

Second reading of bills.

H. J. R. No. 7—Asking Congress to donate to this Territory ten million acres of arable land, in aid of her Territorial internal improvement fund.

Was now taken up and read a second time.

On motion of Mr. Shaffer,

The resolution was referred to the committee on Memorials.

H. J. R. No. 10—Relative to the San Juan affair.

Was now taken up and read second time.

Mr. Chapman moved that the House now resolve itself into a committee of the whole, to take into consideration said resolution.

Carried.

Mr. Chapman in the Chair.

After some time spent in committee of the whole, the committee rose and through their chairman, made the following report:

Mr. Speaker in the Chair.

MR. SPEAKER:

The committee of the whole, having had under consideration, H. J. R. No. 10—Relative to the San Juan affair, have instructed me to report the same back to the House, without amendment, and beg leave to be discharged from the further consideration of the subject.

JNO. M. CHAPMAN,
Chairman.

Report received, and the question being upon its adoption, the ayes and were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Chapman, Henness, Jackson, Judson, Knapp, McCall, Shaffer, Shead, Shelton, Shockley, Short, Simmons, Smith, Swindall, Tennant, Van Valzah, Weed, Williard, Yantis and Mr. Speaker—20.

Those voting in the negative, were—

Messrs. Ferguson, Noyes, Webster and Wood—4.

The report was therefore adopted and the committee discharged.

On motion of Mr. Shockley,

The House adjourned.

J. T. TURNER,
Chief Clerk.

THURSDAY, January 5th, 1860.

House met pursuant to adjournment.

Upon calling the roll the following members were found absent, to-wit:

Messrs. Brownfield and Chapman.

Journal of yesterday read and approved.

Reports of standing committees.

Mr. Simmons, from the Committee on Enrolled Bills, upon leave submitted the following report:

MR. SPEAKER :

The committee on Enrolled Bills have examined the following bill, and find it correctly enrolled:

H. B. No. 4—An act to create and organize the county of Clickatat.

A. H. SIMMONS,
Chairman.

Mr. Tennant, from committee on Memorials, upon leave, submitted the following report:

MR. SPEAKER :

The committee on Memorials, having had House Concurrent Resolution No. 7, under consideration, have instructed me to report the same back, with the following amendments, viz:

In first resolution, fifth line, after the word "Washington," insert—"are to be constructed." Same line, strike out the word "Territorial."

Second resolution, second line, strike out all after the word "resolution," and insert—"also, to the President of the United States and the members of the Cabinet."

And recommend the passage of the resolution as amended.

JOHN A. TENNANT,

Chairman.

The report received and laid upon the table.

The Speaker announced that he would proceed to sign the following bills and memorials, to-wit:

H. M. No. 5—Relative to additional appropriation to complete military road from Fort Walla Walla to Fort Benton.

H. M., No. 13—Praying for the extension of public surveys east of the Cascade mountains.

H. B. No. 4—An act to create and organize the county of Clickatat.

C. B. No. 4—An act to provide for election returns in certain Council and Representative Districts.

C. B., No. 1—"An act to authorize Joseph Eaton to establish a ferry across the Cathlapoodle river, in Clarke county."

C. B. No. 2—An act to amend an act, entitled an act additional to an act, entitled an act to amend an act establishing a common school system in the Territory of Washington.

C. B. No. 11—An act to amend an act entitled an act to incorporate the Cascade Railroad Company.

Substitue for H. B. No. 7—An act authoring Richard H. Reigart to establish a ferry on the Columbia river, in Spokane county.

Upon leave, Mr. Miles introduced—

H. J. R. No. 9—Relative to employing a joint enrolling clerk.

Resolution read a first time.

Mr. Ferguson moved a suspension of the rules, and that the resolution be read a second time now.

Carried, and resolution read a second time.

Mr. Ferguson moved a further suspension of the rules, and that now be assigned as the time for the third reading of the resolution.

Pending which motion,

Mr. Shaffer moved to amend the resolution, by striking out the word "ten," and insert in lie thereof the word "seven."

Pending which motion,

Mr. Miles moved to amend the amendment offered by Mr. Shaffer, by inserting the words "seven and a half."

The question being upon the adoption of the amendment to the amendment, the ayes and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Chapman, Ferguson, Henness, Jackson, Judson, Knapp, McCall, Miles, Noyes, Shead, Shelton, Smith, Swindall, Tennant, Van Valzah, Webster, Weed, and Williard—17.

Those voting in the negative, were—

Messrs. Gile, Savage, Shaffer, Shockley, Short, Simmons, Wood, Yantis and Mr. Speaker—9.

Amendment of Mr. Miles was therefore adopted.

Mr. Miles now moved to strike out the words "seven and a half," in said resolution, and insert the word "ten."

Pending which motion,

Mr. Shaffer moved to amend, by inserting the word "eight" in lieu thereof.

Mr Shaffer's motion was lost.

Mr. Tennant moved to amend, by striking out the word "ten," and insert the word "nine."

Amendment lost.

On motion of Mr. Ferguson,

Resolution read a third time.

The question being, "shall the resolution pass,"

The yeas and nays were demanded by Mr. Tennant, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Chapman, Ferguson, Foster, Gile, Henness, Jackson, Judson, Knapp, McCall, Miles, Shaffer, Shead, Shelton, Shockley, Short, Simmons, Smith, Swindall, Tennant, Van Valzah, Weed, Willard, Wood, Yantis and Mr. Speaker—25.

Those voting in the negative, were—

Messrs. Savage and Webster—2.

So the resolution passed and title agreed to.

Message from the Council by their Clerk :

MR. SPEAKER:

I am instructed by the Council to inform the House of the introduction of the following, to-wit:

C. J. M. No. 1—Relative to an additional appropriation for completing the military road from Steilacoom to Fort Vancouver.

C. J. R. No. 1—Relative to an appropriation by Congress for the purchase of additional books for the Library of Washington Territory.

C. J. M. No. 2—Relative to the establishment of a military road from Vancouver to Fort Simcoe.

And that the Council have passed the following bills, &c:

Substitute for C. B. No. 5—An act in relation to estrays and other unclaimed personal property.

C. J. M. No. 1—Relative to an additional appropriation to complete the military road from Steilacoom to Vancouver.

C. J. R. No. 1—Relative to an appropriation for the purchase of books for Library of W. T.

ANDREW J. MOSES,

Chief Clerk.

Upon leave, Mr. Swindall introduced—

H. B. No. 43—An act to fix the boundaries of Sawamish county. Bill read a first time and laid on the table to be printed.

Upon leave, Mr. Shaffer, introduced the following—

H. J. R. No. 12—Relative to a compilation of the history of Washington Territory, by James G. Swan.

Resolution read a first time, and laid over to be printed.

Upon leave, Mr. Shelton introduced—

H. B. No. 44—An act to amend an act, entitled an act to authorize and regulate the erection of wharves.

Bill read a first time, and laid over to be printed.

Upon leave, Mr. Weed introduced—

H. B. No. 45—An act to dissolve the bonds of matrimony heretofore existing between Crowell H. Sylvester and Harriet P. Sylvester.

Bill read a first time.

Mr. Van Valzah moved to suspend the rules, and that the bill be read a second time now.

Lost, and the bill laid over to be printed.

Upon leave, Mr. Wood introduced—

H. M. No. 14—Praying the Postmaster General to establish a weekly mail route from Steilacoom to Fort Slaughter, at the crossing of the Puyallup river.

Memorial read a first time and ordered to be printed.

Upon leave, Mr. Chapman introduced—

H. B. No. 46—An act to locate a territorial road from Steilacoom, in Pierce county, to Olympia, in Thurston county.

Bill read a first time and laid over to be printed.

Upon leave, Mr. Wood introduced—

H. J. R. No. 13—Relative the office of Enrolling and Engrossing Clerks for each House of the Legislative Assembly.

Resolution read a first time, and laid upon the table in order to be printed.

Second reading of bills.

H. J. R. No. 6—Concerning the equalizing postage on letters, papers, etc., through the Union.

Read second time.

On motion of Mr. Tennant,

The resolution was laid on the table, and to-morrow was assigned as the time for the third reading.

H. J. R. No. 8—Concerning the immediate payment of the Indian war debt.

Read second time, and

On motion of Mr. Miles,

Was referred to committee on Memorials.

H. B. No. 36—An act to authorize John Carson to construct a bridge across the Puyallup river, in Pierce county.

Read second time, and

On motion of Mr. Henness,

The bill was referred to the committee on Roads and Highways.

H. B. No. 37—An act to authorize John Walker to establish a ferry across the Puyallup river, in Pierce county.

Bill read a second time.

Upon motion of Mr. Wood,

Was referred to the Committee on Roads and Highways.

H. B. No. 38—An act to legalize the assessment of Pacific county.
Bill read a second time.

Mr. Weed moved a suspension of the rules, and that now be assigned as the time for the third reading.

Motion lost, when,

On motion of Mr. Miles,

The bill was laid on the table, and to-morrow assigned as the time for its third reading.

H. B. No. 39—An act to establish a territorial road from Olympia, in the county of Thurston, to Steilacoom, in the county of Pierce.

Bill read a second time, and

On motion of Mr. Wood,

Was referred to Committee on Roads and Highways.

H. B. No. 40—An act to create and organize the county of Spokane.

Was read a second time, and

On motion of Mr. Webster,

Was referred to the committee on Counties.

H. B. No. 41—An act to incorporate the First Presbyterian Church of Olympia.

Was taken up and read a second time, and

On motion of Mr. Weed,

The bill was referred to the committee on Corporations.

H. B. No. 33—An act authorizing the board of commissioners of the several counties to regulate the road tax in their respective counties.

Was taken up and read second time, and

On motion of motion of Mr. Wood,

Was referred to a select committee, consisting of one member from each county represented in the House, to-wit:—Messrs. Wood, Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Henness, Jackson, Judson, Miles, Noyes, Savage, Shaffer, Shockley, Short, Simmons, Smith, Swindall, Tennant, Van Valzah and Williard.

H. B. No. 32—An act to define the boundaries of Chehalis county.

Was now read a second time, and

On motion of Mr. Shaffer,

Was referred to the committee on Counties.

H. B. No. 34—An act to locate the county seat of Sawamish county.
Bill read a second time.

Mr. Swindall moved a suspension of the rules, and that now be assigned as the time for the third reading.

Motion lost, when

On motion of Mr. Wood,

The bill was laid on the table, and to-morrow assigned as the time for the third reading.

H. B. No. 31—An act to appoint officers for Chehalis county.

Read a second time, and referred to committee on Counties.

C. B. No. 8—An act to authorize the Secretary of the Territory to receive compensation for certificate and seal of office.

Read a second time, and referred to committee on Ways and Means.

The report of the committee on Memorials upon H. J. R. No. 7, was now taken from the table and read by the Clerk, as also the Memorial, with the amendments proposed by the committee.

On motion of Mr. Tennant,

The Memorial was referred back to same committee.

H. B. No. 30—An act to exempt the homestead and other property from forced sale in certain cases.

Was read a second time and laid over, and to-morrow assigned as the time for the third reading.

Business from the Council.

C. J. R. No. 1—Relative to an appropriation for the purchase of books for the Library of Washington Territory.

Resolution read a first time.

Mr. Knapp moved a suspension of the rules, and that the resolution be read a second time now.

Carried, and the resolution read a second time.

Mr. Chapman moved to further suspend the rules, and that now be assigned as the time for the third reading.

Carried.

Resolution read a third time and passed, and title agreed to.

Substitute for C. B. No. 5—An act to amend an act entitled an act relative to estrays and other unclaimed personal property,

Was now taken up, and

Upon motion of Mr. Tennant,

The first reading of the bill was dispensed with.

Mr. Tennant in the chair.

Mr. Knapp moved a suspension of the rules and that the bill be read a second time now, by title.

Carried, and the bill was so read.

Mr. Knapp now moved to amend the bill.

Pending which motion,

Mr. Miles moved to refer the bill, with the amendment offered by Mr. Knapp, to the committee on the Judiciary.

Carried.

C. M. No. 1—Relative to an additional appropriation to complete the military road from Steilacoom to Vancouver.

Memorial read three several times, under a suspension of the rules, and passed.

Business before the House.

H. J. R. No. 10—Relative to the San Juan affair.

Was now taken up and read a second time.

Mr. Simmous moved to refer the resolution to a select committee, consisting of one member from each county.

Pending which motion,

Mr. Van Vanzah moved to amend by referring the resolution to a select committee of five members.

Carried, and the Chair appointed Messrs. Van Valzah, Simmons, Chapman, Miles and Smith said committee.

On motion of Mr. Swindall,

The committee were authorized to call upon his Excellency the Governor of W. T., and if compatible with the public interest, procure from him a certain letter from Gen. Cass, the Secretary of State, bearing date Sept. 15th, 1859, said letter having direct bearing upon the San Juan affair.

Mr. Knapp moved a reconsideration of the vote whereby H. J. R. No. 10 was referred to a select committee of five.

Upon this motion the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative were—

Messrs. Chapman, Ferguson, Foster, Gile, Judson, Knapp, Miles, Shockley, Short, Webster and Wood—11.

Those voting in the negative, were—

Messrs. Henness, Jackson, McCall, Noyes, Savage, Shaffer, Shead, Shelton, Simmons, Smith, Swindall, Tennant, Van Valzah, Weed, Willard, Yantis and Mr. Speaker—17.

The motion to reconsider was therefore lost.

Mr. Knapp moved that the House do now adjourn.

Upon this motion the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Chapman, Foster, Gile, Jackson, Knapp, Savage, Shaffer, Shead, Shockley, Short, Tennant, Webster, Willard, and Yantis—14.

Those voting in the negative, were—

Messrs. Ferguson, Henness, Judson, McCall, Miles, Noyes, Shelton,

Simmons, Smith, Swindall, Van Valzah, Weed, Wood and Mr. Speaker—14.

Being a tie vote, the House refused to adjourn.

Upon leave, Mr. Miles submitted, in writing, the following "motion:"

That the select committee on H. J. R. No. 10—Relative to the San Juan affair, be instructed to call upon the Governor, and obtain from him all documents in his possession, bearing upon the San Juan affair, which his duty will allow him to exhibit.

Motion received and adopted.

Mr. Wood moved that the House do now adjourn.

Upon this motion the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Chapman, Foster, Gile, Jackson, Knapp, McCall, Noyes, Savage, Shaffer, Shockley, Tennant, Webster, Wood and Yantis—14.

Those voting in the negative, were—

Messrs. Ferguson, Henness, Judson, Miles, Shead, Shelton, Short, Simmons, Smith, Swindall, Van Valzah, Weed, Willard and Mr. Speaker—14.

The motion to adjourn was therefore lost.

Mr. Wood moved that the vote whereby H. J. R. No. 10, had been referred to a select committee, be reconsidered.

Upon this motion the yeas and nays were demanded, and the following is the vote;

Those voting in the affirmative, were—

Messrs. Gile, Jackson, McCall, Savage, Shead, Shelton, Simmons, Smith, Tennant, Weed, Willard, Yantis and Mr. Speaker—14.

Those voting in the negative, were—

Messrs. Chapman, Ferguson, Foster, Henness, Judson, Knapp, Miles, Noyes, Shaffer, Shockley, Short, Swindall, Van Valzah, Webster and Wood—14.

Motion to reconsider, lost, when

On motion of Mr. Miles,

The House adjourned.

J. T. TURNER,
Chief Clerk.

FRIDAY, January 6, 1859.

House met pursuant to adjournment.

Upon calling the roll the following members were found absent, to-wit:

Messrs. Brownfield and Chenoweth.

Journal of yesterday read and approved.

Mr. Shaffer in the chair.

Reports from standing committees.

Mr. Ferguson, from the Committee on Counties, submitted the following report:

MR. SPEAKER :

The Committee on Counties, to whom was referred H. B., No. 40—An act to create and organize the county of Spokane, have had the same under consideration, and have directed me to report the same back to the House with an additional section, &c., and recommend its passage.

J. L. FERGUSON,
Chairman.

Report received and adopted.

Mr. Wood, from Committee on Ways and Means submitted the following report:

MR. SPEAKER :

The Committee on Ways and Means have had O. B., No. 8, under consideration, and have instructed me to report the same back with additional sections.

W. H. WOOD,
Chairman.

Report received and laid on the table.

Mr. Simmons, from the Committee on Corporations, submitted the following report:

MR. SPEAKER :

The Committee on Corporations, to whom was referred the following bills, have had the same under consideration, and have instructed me to report the same back and recommend that they do pass:

H. B. No. 23—An act to authorize William J. Terry to establish a bridge across the Spokane river in Spokane county.

H. B. No. 24—An act to authorize A. Jacobs to establish a bridge across the Touchet river in Walla Walla county.

H. B. No. 41—An act to incorporate the First Presbyterian Church of Olympia.

A. H. SIMMONS,
Chairman.

Report received and adopted.

Mr. Van Valzah, from select committee, submitted the following report:

MR. SPEAKER:

The select committee, to whom was referred H. J. R., No. 10—Relative to the San Juan affair, beg leave to report the following as a substitute.

J. M. VAN VALZAH, *Chm'n*,
A. H. SIMMONS,
J. C. SMITH,
J. M. CHAPMAN,
HENRY MILES.

The report was read and adopted.

Upon leave, Mr. Simmons, from Committee on Corporations, submitted the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred the petition of the citizens of Port Townsend, asking the incorporation of the city of Port Townsend, have had the same under consideration, and have instructed me to report the accompanying bill, and recommend that it do pass.

A. H. SIMMONS,
Chairman.

Report laid on the table.

Upon leave, Mr. Tennant, from Committee on Memorials, submitted the following report:

MR. SPEAKER:

The Committee on Memorials having had House Concurrent Resolu-

tion, No. 7, under consideration, have instructed me to report the same back, with the following amendments, viz:

1st resolution, 13th line, after the word "Washington," insert "are to be constructed." In 14th line, strike out the word "territorial."

In 2d resolution, strike out all after the word "resolutions," in 4th line, and insert "also to the President and members of the Cabinet."

And recommend the passage of the resolution as amended.

JOHN A. TENNANT,

Chairman.

Report received and laid on the table.

Mr. Knapp, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER:

The Committee on Roads and Highways, to whom was referred H. Bs. Nos. 36 and 37, have had the same under consideration, and have instructed me to report the same back with amendments.

Strike out of H. Bs. Nos. 36 and 37, the word "Walla-Walla" wherever it may occur, and insert the words "Fort Bellingham" instead, so as to read from "Fort Steilacoom to Fort Bellingham."

H. M. KNAPP,

Chairman.

Report received and laid on the table.

Upon leave, Mr. Ferguson introduced—

H. B. No. 47—An act to dissolve the bonds of matrimony heretofore existing between Sidney S. Ford, jr., and Josephine Ford.

Bill read first time.

Mr. Foster moved that the rules be suspended, and that the bill be read a second time now.

Carried.

Mr. Ferguson moved a further suspension of the rules, and that the bill be read a third time.

Carried.

Bill read a third time and passed, and title approved, and

Upon motion of Mr. Ferguson,

The Clerk was instructed to report the passage thereof forthwith to the Council.

Upon leave, Mr. McCall introduced—

H. B. No. 48—An act to legalize the assessment of Wahkiakum county.

Bill read a first time.

Mr. Miles moved a suspension of the rules, and that now be assigned as the time for the second reading of the bill.

Carried.

Mr. Miles moved a further suspension of the rules, and to assign now as the time for the third reading.

Upon this motion the yeas and nays were demanded and the following was the result:

Those voting in the affirmative, were—

Messrs. Chapman, Ferguson, Foster, Gile, Henness, Jackson, Judson, Knapp, McCall, Miles, Noyes, Savage, Shaffer, Shelton, Shockley, Short, Simmons, Smith, Van Valzah, Webster, Weed, Yantis and Mr. Speaker—23.

Those voting in the negative, were—

Messrs. Shead, Tennant, Willard and Wood—4.

Motion carried.

Bill read a third time and passed, and title approved.

Upon leave, Mr. Foster introduced—

H. B. No. 49—An act to incorporate the Seattle Library Association.

Bill read a first time and laid over to be printed.

Upon leave, Mr. Foster introduced—

H. M. No. 15—Relative to the increase of the payment or allowances by the United States to grand and petit jurors.

Memorial read three several times, under a suspension of the rules, and passed.

The Clerk was instructed to forthwith report the passage thereof to the Council.

Upon leave, Mr. Shead introduced—

H. B. No. 50—An act to locate and establish a territorial road from John M. Shotwell's, on Black river, to David Biles', on the Chehalis river.

Bill read a first time, and laid over to be printed.

The above bill was accompanied by a petition signed by J. M. Shotwell and 38 others.

Mr. Wood moved that when the House adjourn, it adjourn till 2 o'clock, P. M., of this day.

Lost.

Second reading of bills.

H. B. No. 45—An act to dissolve the bonds of matrimony heretofore existing between Crowell H. Sylvester and Harriet P. Sylvester,
Was now taken up read a second time.

Mr. Ferguson moved a suspension of the rules, and that the bill be read a third time now.

Pending which motion, Mr. Wood moved to lay Mr. Ferguson's motion on the table. Lost.

The question now being upon the suspension of the rules, the ayes and nays were called for, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Chapman, Ferguson, Foster, Gile, Judson, Miles, Savage, Shaffer, Short, Smith, Van Valzah, Webster, Weed and Mr. Speaker—14.

Those voting in the negative, were—

Messrs. Henness, Jackson, Knapp, McCall, Noyes, Shelton, Shockley, Simmons, Tennant, Wood and Yantis—11.

The motion to suspend was therefore lost, it requiring a "two-third vote" to suspend the rules.

Mr. Wood now moved that the bill be referred to a select committee of five members.

Upon this motion the ayes and nays were demanded, and the vote stood as follows:

Those voting in the affirmative, were—

Messrs. Henness, Jackson, Knapp, McCall, Noyes, Shaffer, Simmons, Tennant, Wood and Yantis—10.

Those voting in the negative, were—

Messrs. Chapman, Ferguson, Foster, Gile, Judson, Miles, Savage, Shead, Shelton, Shockley, Short, Smith, Van Valzah, Webster, Weed, Willard and Mr. Speaker—17.

Motion of Mr. Wood lost.

Mr. Miles moved to reconsider the vote whereby a suspension of the rules for the third reading of the bill was lost.

And on this motion the ayes and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Chapman, Ferguson, Foster, Gile, Henness, Judson, Savage, Shelton, Short, Smith, Van Valzah, Weed and Mr. Speaker—14.

Those voting in the negative, were—

Messrs. Jackson, Knapp, McCall, Miles, Noyes, Shaffer, Shead, Shockley, Simmons, Tennant, Webster, Willard, Wood and Yantis—15.

Motion to reconsider lost.

Mr. Biles now moved that the bill be laid on the table, and that to-morrow be assigned as the time for the third reading.

Pending which motion, Mr. Wood moved an indefinite postponement of the bill.

On this motion the ayes and nays were called for, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Knapp, Noyes, Shockley, Simmons and Wood—5.

Those voting in the negative, were—

Messrs. Chapman, Ferguson, Foster, Gile, Henness, Jackson, Judson, McCall, Miles, Savage, Shaffer, Shead, Shelton, Short, Smith, Van Valzah, Webster, Weed, Willard, Yantis and Mr. Speaker—21.

Motion to indefinitely postpone was therefore lost.

Mr. Wood moved to lay the bill over until 29th inst., and that it be made the special order of said day.

Lost.

The question recurring upon the original motion of Mr. Biles, the bill was laid over and to-morrow was assigned as the time for the third reading.

Upon motion of Mr. Gile,

H. B. No. 8—"An act to dissolve the bonds of matrimony between Charles Green and Cathrine W. Green,"

Was taken up, read a third time and passed, and title agreed to.

H. B. No. 44—An act to amend an act, to authorize and regulate the erection of wharves,

Was taken up and read a second time, and

On motion of Mr. Webster,

Was referred to the committee on Corporations.

Upon leave, Mr. Van Valzah introduced—

A substitute for H. J. R. No. 10—Relative to the San Juan imbroglia.

Resolution read a first time.

Mr. Ferguson moved to suspend the rules, and that said substitute be now read a second time.

Carried, and the substitute read a second time.

Mr. Miles now moved to strike out the words, "Gen. Harney being unadvised of the letter from Secretary Marcy to Gov. Stevens."

And upon the adoption of Mr. Miles' motion, the ayes and nays were called, and the following is the result:

Those voting in the affirmative, were—

Messrs. Chapman, Ferguson, Foster, Gile, Henness, Jackson, Judson, Knapp, McCall, Miles, Savage, Shaffer, Shelton, Shockley, Short, Smith, Tennant, Van Valzah, Weed, Willard, Wood, Yantis and Mr. Speaker—
23.

Those voting in the negative, were—

Messrs. Noyes, Simmons and Webster—3.

Motion carried, and the words were stricken out.

Message from the Council by their Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of the introduction of C. B. No. 14—An act to authorize Martha Martin, a minor, to convey property.

Also, of the passage of H. J. R. No. 1—Relative to a joint convention for the election of certain territorial officers, with an amendment.

And asks the concurrence of the House therein.

ANDREW J. MOSES,

Chief Clerk.

Mr. Knapp gave notice that he would, on some future day, offer an amendment to the charter of Vancouver City.

Mr. Tennant gave notice that he would, on to-morrow or soon thereafter, introduce an amendment to the Rules and Orders, relative to calling the ayes and nays.

Mr. Biles moved a suspension of the rules, and that the substitute to H. J. R. No. 10—Relative to the San Juan affair, be now read as amended.

Carried.

Resolution read a third time.

The question being upon its final passage, the ayes and nays were demanded, and the resolution passed unanimously, to-wit:

Those voting in the affirmative, were—

Messrs. Chapman, Ferguson, Foster, Gile, Henness, Jackson, Judson, Knapp, McCall, Miles, Noyes, Savage, Shaffer, Shead, Shelton, Shockley, Short, Simmons, Smith, Tennant, Van Valzah, Webster, Weed, Willard, Wood, Yantis and Mr. Speaker—27.

Those voting in the negative, were none.

Messrs. Brownfield, Chenoweth and Swindall being absent.

The Clerk was instructed to report the passage of said resolves forthwith to the Council.

Mr. Knapp moved that 1500 extra copies of said resolution be ordered printed.

Motion withdrawn.

On motion of Mr. Chapman,

The House adjourned.

J. T. TURNER,
Chief Clerk.

SATURDAY, January 7th, 1860.

House met pursuant to adjournment.

Upon calling the roll the following members were found to be absent, to-wit:

Messrs. Brownfield, Chenoweth and Chapman.

Journal of yesterday read and approved.

Upon motion of Mr. Simmons,

The Rev. Mr. Lippincott was requested to open the House with prayer.

Upon leave, Mr. Shaffer submitted—

A petition from the citizens of Chehalis county, signed by Aleck C. Smith and 70 others, praying the Legislature to fix the boundaries of said county.

Petition read, and referred to Committee on Counties.

Upon leave, Mr. Foster introduced—

H. B. No. 52—An act to provide for the formation of corporations for certain purposes.

Bill read a first time and laid on the table to be printed.

Upon leave, Mr. Foster introduced—

H. J. R. No. 14—Relative to a geological survey of Washington Territory by the general government.

Resolution read a first time, and laid over to be printed.

Upon leave, Mr. Tennant submitted the following resolution:

Resolved, That the thirty-third rule of the Rules and Orders of the House be so amended as to read, “the ayes and nays shall not be taken unless five members vote for the same.”

Resolution read, and

On motion of Mr. Miles,

Was referred to the Committee on Rules and Orders.

Message from the Council by their Clerk :

MR. SPEAKER:

I am instructed by the Council to inform the House of the passage of C. J. M. No. 2—Relative to the establishment of a military road from Vancouver to Fort Simcoe.

Also, H. J. M. No. 10—Relative to the superintendency of Indian affairs.

Also, H. J. M. No. 11—Relative to appropriating money for the transportation and settling of the Indian tribes on their reserves east of the Cascade mountains.

Also, C. B. No. 13—An act defining the boundary line of Pacific county.

Also, that the Council has refused to pass H. B. No. 10—An act to locate the seat of government of the Territory of Washington.

ANDREW J. MOSES,
Chief Clerk.

Second reading of bills.

H. B. No. 46—An act to locate a territorial road from Steilacoom, in Pierce county, to Olympia, in Thurston county.

Bill read a second time, and

Upon motion of Mr. Shead,

Was referred to the Committee on Roads and Highways.

H. M. No. 14—Praying the Postmaster General to establish a weekly mail route from Steilacoom to Fort Slaughter, at the crossing of the Puyallup river.

Bill read a second time.

Mr. Wood moved a suspension of the rules, and that now be assigned as the time for the third reading.

Carried.

Memorial read a third time and passed the House.

The Clerk was instructed to report the passage thereof at once to the Council.

H. J. R. No. 12—Relative to a compilation of the history of Washington Territory, by James G. Swan.

Resolution read a second time, and laid over till Monday, January 9th inst.

H. J. R. No. 13—Relative to the office of Enrolling and Engrossing Clerks for each House of the Legislative Assembly.

Was read a second time, and under a suspension of the rules, was read a third time and passed, and title approved.

H. B. No. 43—An act to fix the boundaries of Sawamish county,
Was read a second time, and

On motion of Mr. Webster,

Was referred to the committee on Counties.

H. B. No. 49—An act to incorporate the Seattle Library Association,

Read second time and laid over till Monday, the 9th inst.

Third reading of bills.

H. B. No. 23—An act to authorize William J. Terry to establish a bridge across the Spokane river, in Spokane county.

Bill read a third time, and passed and title approved.

H. B. No. 24—An act to authorize A. Jacobs to establish a bridge across the Touchet river in Walla Walla county.

Bill read a third time and passed, and title agreed to.

H. B. No. 38—An act to legalize the assessment of Pacific county.

Bill read a third time and passed, and title approved.

H. B. No. 34—An act to locate the county seat of Sawamish county.

Bill read a third time, and passed and title agreed to.

H. B. No. 30—An act to exempt the homestead, and other property, from forced sale in certain cases.

Bill read a third time,

And the question being "shall the bill pass," the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Ferguson, Foster, Gile, Knapp, McCall, Miles, Noyes, Savage, Shaffer, Shockley, Short, Simmons, Smith, Tennant, Webster, Wood, Yantis and Mr. Speaker—18.

Those voting in the negative, were—

Messrs. Henness, Jackson, Shead, Shelton, Swindall, Van Valzah, Weed and Willard—8.

The bill was therefore passed, and the title approved.

H. B. No. 35—An act to incorporate the city of Port Townsend.

Bill read a third time and passed, and title approved.

Second reading of bills.

H. B. No. 28—An act to establish a common school system for Washington Territory.

Bill read a second time, and

Upon motion of Mr. Shead,

The bill was referred to the committee on Education.

Third reading of bills resumed.

H. B. No. 45—An act to dissolve the bonds of matrimony heretofore existing between Crowell H. Sylvester and Harriet P. Sylvester.

Bill read a third time and passed, and title approved.

And the passage thereof was at once reported by the Clerk to the Council.

H. B. No. 41—An act to incorporate the First Presbyterian Church of Olympia,

Was taken up, and

Upon motion of Mr. Wood,

Was referred to a select committee of three members, viz:

Messrs. Wood, Shead and Noyes.

Business on the table.

H. J. R. No. 6—Concerning the equalizing postage on letters, papers, etc., throughout the Union,

Now coming up in its regular order, was read a third time and passed, and title approved.

Business from the Council.

The Clerk here took from the table—

H. J. R. No. 1—Relative to a joint convention, for the purpose of electing certain territorial officers for Washington Territory.

The above resolution had been reported back from the Council, with an amendment, to-wit:

The word "fourteenth" stricken out, and the words "twenty-fifth" inserted in lieu thereof.

The resolution was read as amended, and the question being "will the House concur in the amendments of the Council to H. J. R. No. 1," the ayes and nays were called for, and the result was as follows:

Those voting in the affirmative were—

Messrs. Ferguson, Foster, Gile, Knapp, Noyes, Savage, Shaffer, Short, Smith, Van Valzah, Webster, Wood and Mr. Speaker—13.

Those voting in the negative, were—

Messrs. Henness, Jackson, McCall, Miles, Shead, Shelton, Shockley, Simmons, Swindall, Tennant, Weed, Willard and Yantis—13.

The House therefore refused to concur.

Mr. Miles moved to reconsider the vote of non-concurrence.

Mr. Tennant objected to the motion of Mr. Miles to reconsider the vote, on the ground that a majority had not voted to concur in the amendments by the Council.

This objection was overruled by the chair, and Mr. Tennant appealed from the decision.

And the question being "will the House sustain the decision of the chair?" the ayes and nays were demanded, and the following is the vote :

Those voting in the affirmative, were—

Messrs. Ferguson, Foster, Knapp, Miles, Noyes, Savage, Shaffer, Shead, Short, Smith, Van Valzah, Webster and Wood—13.

Those voting in the negative, were—

Messrs. Henness, Jackson, McCall, Shelton, Shockley, Simmons, Swindall and Tennant—9.

The chair was therefore sustained in his decision.

The question now being upon the reconsideration of the vote whereby the House had refused to concur in the amendments by the Council, a call of the House was made, and Messrs. Judson and Chapman were found absent. •

Upon request of Mr. Savage, Mr. Chapman was granted leave of absence till Monday.

Mr. Judson, upon request, was granted leave of absence.

Upon a vote being taken upon the question to reconsider, the following was the result:

Those voting in the affirmative, were—

Messrs. Ferguson, Foster, Gile, Knapp, Miles, Noyes, Savage, Shaffer, Short, Smith, Van Valzah, Webster, Wood and Mr. Speaker—14.

Those voting in the negative, were—

Messrs. Henness, Jackson, McCall, Shead, Shelton, Shockley, Simmons, Swindall, Tennant, Weed, Willard and Yantis—12.

The amendments were therefore concurred in.

Message from the Council by their Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of the introduction and passage of Council substitute for H. J. R. No. 11—Relative to the employment of Joint Enrolling Clerk.

ANDREW J. MOSES,
Chief Clerk.

Business on the table.

Mr. Van Valzah moved a call of the House.

Carried.

Messrs. Miles and Ferguson appearing within the bar, a further call of the House was dispensed with.

H. B. No. 37—An act to authorize John Walker to establish a ferry across the Puyallup river, in Pierce county,

Was taken up and read, with the amendments proposed by the committee, and the amendments adopted.

Mr. Henness moved to further amend the bill, by striking out the figures "12½ c'ts.," and insert "5 cents for crossing each sheep and hog on said ferry.

Amendment adopted.

The same gentleman moved to further amend said bill by striking out "25 c'ts.," and insert "12½ c'ts. for crossing loose stock, other than sheep and hogs."

Amendment adopted.

Mr. Swindall moved to further amend said bill, by striking out "25 c'ts.," and insert "12½ c'ts. for crossing footman.

Amendment lost.

The bill was then read a third time and passed, and title approved.

Mr. Jackson moved that the House do now adjourn.

Lost.

Upon motion of Mr. Wood,

H. B. No. 36—An act to authorize John Carson to construct a bridge across the Puyallup river, in Pierce county.

Was taken up and read, together with the amendments proposed by the committee on Roads and Highways, and amendments adopted.

Mr. Tennant moved to further amend the bill, by striking out "12½ c'ts.," and insert "5 c'ts. for crossing sheep and hogs each."

Amendment adopted, when

Upon motion of Mr. Shead,

The bill was referred back to the Committee on Roads and Highways.

Upon motion of Mr. Foster,

The House adjourned till Monday, 10 o'clock, A. M.

J. T. TURNER,
Chief Clerk.

MONDAY, January 9th, 1860.

House met pursuant to adjournment.

Upon calling the roll, all the members found present except Mr. Swindall.

Journal of Saturday read and approved.

Upon leave, Mr. Ferguson introduced—

H. M. No. 16—Relative to a certain land claim of G. W. Johnson, at the Cascades.

Memorial read three several times, under a suspension of the rules, and passed.

Upon motion, the Clerk was instructed to report the passage thereof to the Council, forthwith.

Upon leave, Mr. Tennant presented a petition, signed by H. C. Page and 52 others, citizens of Whatcom county, remonstrating against the creation and organization of Harney county.

Petition read and laid on the table.

Upon leave, Mr. Brownfield introduced—

H. B. No. 53—An act to dissolve the bonds of matrimony heretofore existing between A. R. Keller and Almina Keller.

A petition from Almina Keller, accompanying the bill, was read by the Clerk.

Bill read a first time.

Upon motion of Mr. Brownfield,

The rules were suspended and bill read a second time, when

On motion of Mr. Ferguson,

The rules were further suspended, and the bill read a third time and passed and title approved.

On motion, the Clerk was instructed to report the passage thereof forthwith to the Council.

Mr. Chenoweth, upon leave, presented a petition, signed by Jacob Ebey and 98 others, citizens of Island and Jefferson counties, praying the Legislature to grant unto Capt. Thomas Coupe, a citizen of Island county, a charter to establish a steam ferry between Whidby's Island and Port Townsend.

Bill introduced, upon leave, by the same gentleman.

Bill read a first time, and ordered to be printed.

Upon leave, Mr. Chapman presented a petition, signed by M. R. Tilley and 43 others, citizens of Washington Territory, praying the Legislative Assembly to create and organize the county of Mason.

The above petition was accompanied by H. B. No. 55—An act to create and organize the county of Mason, and define its boundaries.

Bill read a first time, and ordered to be printed.

Mr. Judson, upon leave, presented a remonstrance, signed by L. J. Tower and 63 others, citizens of Washington Territory, praying the Legislature not to grant the prayer of certain petitioners asking the creation of Mason county.

Petition read and referred to the committee on Counties.

Upon leave, Mr. Miles presented a petition, signed by, L. J. Tower and 33 others, citizens of W. T., praying the Legislative Assembly to pass an act to restore to Lewis county all that portion of territory lying north of Skookum Chuck, which said county was deprived of by an act of the Oregon Legislature in the years 1852 and 1853.

Petition read and referred to the committee on Counties.

Reports of standing committees.

Mr. Ferguson, upon leave, submitted the following report:

MR. SPEAKER :

The committee on Counties to whom was referred H. B. No.s 31, 32 and 43, have had the same under consideration, and have directed me to

report the same back to the House and ask to be discharged from the further consideration of the subject.

J. L. FERGUSON,
Chairman.

Report received and adopted.

Upon leave, Mr. Henness presented the following report:

MR. SPEAKER :

The committee on Education, to whom was referred H. B. No. 28, An act to establish a common school system for Washington Territory, have had the same under consideration, and have instructed me to report the same back with an amendment, and recommend its passage.

B. L. HENNESS,
Chairman.

The report received and laid upon the table.

Mr. McCall, from the committee on Rules and Orders, to whom was referred the following resolution, to-wit:

“*Resolved*, That the 33d rule of the rules and orders of the House, be so amended as to read—the yeas and nays shall not be taken unless five members vote for the same.”

The above resolution had the following attached thereto, to-wit:

“Except when a vote is being taken on the third reading of a bill, when any member may call the yeas and nays.”

Upon leave, presented the following report:

MR. SPEAKER :

The committee on Rules and Orders, having had under consideration the resolution relative to amendments of rule 33, of the rules and orders of the House, beg leave to report the same back to the House with the following amendment, viz:

Strike out the words “on the third reading,” and insert in lieu thereof, the words—on the final passage, so as to read—that any member may call the yeas and nays upon the final passage of any bill.

CHARLES McCALL,
Chairman.

Report received and amendment adopted.

Upon leave, Mr. Knapp presented the following report:

MR. SPEAKER :

The committee on Roads and Highways, to whom was referred H. B. No. 36, have had the same under consideration, and have instructed

me to report adversely to the passage of said bill.

H. M. KNAPP,

Chairman.

Report received and laid on the table.

Report from select committees.

Upon leave, Mr. Wood submitted the following report—

MR. SPEAKER :

The select committee of one from each county, to whom was referred H. B. No. 33—An act authorizing the board of commissioners of the several counties to regulate the road tax in their respective counties, have had the same under consideration, and a majority of said committee have instructed me to report the same back, with the following amendment, to-wit:

Insert after the word "that," in the 3d line of Sec. 1, the following words: "It shall be the duty of," so as to read—"that it shall be the duty of the board of commissioners." And recommend its passage.

W. H. WOOD,

Chairman.

Report received and laid on the table.

Upon leave, Mr. Wood, also, presented the following report:

MR. SPEAKER:

The select committee of three, to whom was referred H. B. No. 41 An act to incorporate the First Presbyterian Church of Olympia, have had the same under consideration, and have directed me to report the same back with the following amendment:

After the word "church," in the 11th line of Sec. 2, add the following: "*Provided further*, that said corporation shall not hold land to exceed fourteen lots, by virtue of this act.

W. H. WOOD,

Chairman.

Report laid on the table.

Message from the Council by their Clerk:—

MR. SPEAKER :

I am instructed by the Council to inform the House of the passage of the following bills, memorials and resolutions, to-wit.

Substitute for H. J. No. 10—Relative to the San Juan affair.

C. B. No. 11—An act authorizing William Foreman to establish a ferry across the Cœur d'Alene river.

H. B. No. 47—An act to dissolve the bonds of matrimony existing between Sidney S. Ford, jr., and Josephine Ford.

H. B. No. 48—An act to legalize the assessment of Wahkiacum county.

H. M. No. 14—Relative to the establishment of a weekly mail route from Steilacoom to the crossing of Puyallup river, in Pierce county, and the appointment of John Carson Postmaster.

ANDREW J. MOSES,
Chief Clerk.

Upon leave, Mr. Willard introduced—

H. B. No. 56—An act entitled an act to carry into effect and construe an act, entitled an act to provide for the assessing and collecting county and territorial revenue.

Read a first time and ordered to be printed.

Upon leave, Mr. Chenoweth introduced—

H. B. No. 57—An act to exempt certain property of unmarried men from execution.

Bill read a first time, and ordered to be printed.

Message from the Council by their Clerk :

MR. SPEAKER :

I am instructed by the Council, to inform the House that the President has signed the following memorials and bill, and they are herewith returned to the house in which they originated:

H. M., No. 5—"Relative to an additional appropriation for completing the military road from Fort Walla Walla to Fort Benton."

H. B. No. 4—An act to create and organize the county of Klickitat.

H. M. No. 13—Praying for the extension of the public surveys east of the Cascade Mountains.

ANDREW J. MOSES,
Chief Clerk.

Upon leave, Mr. Short introduced—

H. B. No. 58—A bill for an act to incorporate Finback-Chucklehead-Watson-family Dashaway Division No. 1.

Bill read a first time.

Mr. Ferguson moved a suspension of the rules, and that the bill be read a second time now.

Lost, and the bill was laid over to be printed.

Upon leave, Mr. Webster introduced—

H. J. R. No. 15—Relative to tendering thanks to Capt. Pickett, of the U. S. Army.

Resolution read three several times under a suspension of the rules.

The question being, "shall the resolution pass,"

The yeas and nays were demanded by Mr. Tennant, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Henness, Jackson, Judson, Knapp, McCall, Miles, Noyes, Savage, Shaffer, Shead, Shelton, Shockley, Short, Simmons, Smith, Tennant, Van Valzah, Webster, Weed, Williard, Wood, Yantis and Mr. Speaker—29.

Absent—Mr. Swindall.

Those voting in the negative, were—

None.

The resolution therefore passed unanimously, and the Clerk was instructed to report the passage thereof forthwith to the Council.

Upon leave, Mr. Ferguson introduced—

H. B. No. 59—An act to incorporate the Spokane Bridge Company. Which was read a first time and laid upon the table to be printed.

Upon motion of Mr. Wood,

The committee on Printing were instructed to ascertain if the House can have 1500 copies of H. J. R. No. 10—Relative to the San Juan affair, printed for the use of the House.

Upon leave, Mr. Chenoweth introduced—

H. B. No. 60—An act to punish persons for enticing sailors to desert from ships.

Bill read a first time and laid over to be printed.

Upon leave, Mr. Chenoweth introduced—

H. B. No. 61—An act in relation to dower.

Bill read a first time and laid over to be printed.

Mr. Chenoweth in the Chair.

Upon leave, Mr. Smith introduced—

H. J. R. No. 16—Praying Congress to create an additional land office in and for Washington Territory.

Resolution read a first time and laid over to be printed.

Mr. Wood gave notice that he would on some day after the 20th inst., introduce a bill for the removal of the Capitol of W. T.

Second reading of bills.

H. B. No. 50—An act to locate and establish a territorial road from Jno. M. Shotwell's, on Black river, to David Biles', on the Chehalis river.
Was taken up and read a second time, and

On motion of Mr. Shead,

Was referred to Committee on Roads and Highways.

Business from the Council.

H. J. R. No. 11—Relative to employing a joint enrolling clerk.
Resolution read three several times, under a suspension of the rules, and passed.

C. J. M. No. 2—Relative to the establishment of a military road from Vancouver to Fort Simcoe.

Memorial read three several times under a suspension of the rules, and passed.

H. J. R. No. 14—Relative to a geological survey of Washington Territory.

Read second time, and

On motion of Mr. Wood,

The rules were suspended and resolution read a third time and passed.

H. B. No. 52—An act to provide for the formation of Corporations for certain purposes.

Was now taken up and read second time.

On motion of Mr. Knapp,

The bill was referred to the committee on Corporations.

C. B. No. 13—An act defining the boundary line of Pacific county.
Was taken up and read a first time, and laid upon the table to be printed.

There was also a petition accompanying the bill which was read by the Clerk.

Third reading of bills.

H. J. R. No. 7—Asking Congress to donate to this Territory ten million acres of arable land, in aid of her Territorial internal improvement fund.

Read a third time and passed.

H. J. R. No. 12—For a compilation of a history of Washington Territory.

Resolution read a third time and passed.

H. B. No. 49—An act to incorporate the Seattle Library Association.

Bill read a third time and passed, and title agreed to.

H. B. No. 31—An act to appoint officers for Chehalis county.

Was taken up and read as amended by the committee on Counties.

Amendments received and adopted, and

On motion of Mr. Biles,

The bill was considered on its second reading, and laid upon the table. •

H. B. No. 32—An act to define the boundaries of Chehalis county.

Was taken up and laid over upon its second reading.

H. B. No. 43—An act to define the boundary line of Sawamish county.

Was taken up, and

On motion of Mr. Webster,

Was laid upon the table.

Message from the Council by their Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of the passage by the Council, of H. J. M. No. 16—Relative to the land claim of Geo. W. Johnson.

ANDREW J. MOSES,

Chief Clerk.

H. B. No. 28—An act to establish a common school system for Washington Territory.

Was taken from the table.

Mr. Ferguson moved to refer the bill to a select committee of three, with Mr. Wood as Chairman.

Pending which motion,

Mr. Shead moved that the bill be referred to the committee on Education.

Carried, and the bill so referred.

On motion of Mr. Chapman,

The House adjourned.

J. T. TURNER,
Chief Clerk.

TUESDAY, January 10th, 1860.

Upon calling the roll, members all present.

Journal of yesterday read and approved.

Upon leave, Mr. Van Valzah presented a petition signed by H. E. Morgan and 69 others, citizens of Island and Jefferson counties, praying the Legislative Assembly to grant unto Simon Elbrecht a charter for the establishment of a ferry between "Ebey's Landing" and Port Townsend.

Petition read and referred to the Committee on Corporations.

Mr. Simmons, from the Committee on Enrolled Bills, upon leave submitted the following report:

MR. SPEAKER :

The committee on Enrolled Bills have examined the following bill, and find them correctly enrolled:

C. J. M. No. 1—Relative to an additional appropriation to complete the military road from Steilacoom to Vancouver.

C. J. R. No. 1—Relative to an appropriation for the purchase of books for Library of W. T.

C. B., No. 3—"An act to locate a territorial road from Monticello to the Upper Cascades,"

H. J. M. No. 16—Relative to the land claim of Geo. W. Johnson, at the Cascades.

H. M. No. 11—Relative to appropriating money for the transporta-

tion and settling the Indian tribes on their reserves east of the Cascade mountains.

H. J. R. No. 11—Relative to an Enrolling Clerk.

H. B. No. 47—An act to dissolve the bonds of matrimony existing between Sydney S. Ford, jr., and Josephine Ford.

H. B. No. 48—An act to legalize the assessment of Wahkiacum county.

H. M. No. 10—Relative to the Superintendency of Indian Affairs.

H. M. No. 14—To the Postmaster General of the United States.

A. H. SIMMONS,
Chairman.

Upon leave, Mr. Chenoweth introduced—

H. B. No. 62—An act relating to crimes and punishments, and proceedings in criminal cases.

Bill read a first time and laid over to be printed.

Message from the Council by their Clerk :

MR. SPEAKER:

I am instructed by the Council to inform the House of the passage of the following, to-wit:

H. B. No. 8—"An act to dissolve the bonds of matrimony between Charles Green and Cathrine W. Green,"

C. B. No. 10—An act authorizing John W. Park to establish a ferry across the St. Joseph's river.

H. M. No. 9—Praying for an appropriation to survey and buoy out the channel of the Columbia river, from the mouth of the Willamette to the Cascades of the Columbia river.

H. B. No. 38—An act to legalize the assessment of Pacific county.

Also that the President has signed the following Council Bills:

C. B. No. 1—An act to authorize Joseph Eaton to establish a ferry across the Cathlapoodle river, in Clarke county.

C. B. No. 4—An act to provide for election returns in certain Council and Representative Districts.

C. B. No. 9—An act to amend an act entitled an act to incorporate the Cascade Railroad Company.

C. B. No. 2—An act to amend an act entitled an act additional to an act to amend an act entitled an act establishing a common school system for the Territory of Washington.

C. B. No. 6—An act entitled an act to incorporate the Dalles Portage Company,

Substitute to H. B., No. 7—An act granting to Richard Riegart the right to establish a ferry on the Columbia river,

ANDREW J. MOSES,
Chief Clerk.

Mr. Chenoweth, from the committee on Judiciary, upon leave, submitted the following report:

MR. SPEAKER :

The committee on the Judiciary, having had H. B. No. 14—Relative to Indian half breeds, have instructed me to report the same back to the House, by a substitute to the original bill, and recommend its passage.

F. A. CHENOWETH,
Chairman.

The Speaker here gave notice that he would sign the following bills and memorials:

H. M. No. 16—Relative to a certain land claim of G. W. Johnson, at the Cascades.

Also, H. J. M. No. 11—Relative to appropriating money for the transportation and settling of the Indian tribes on their reserves east of the Cascade mountains.

H. J. R. No. 9—Relative to the employment of an Enrolling Clerk.

H. B. No. 47—An act to dissolve the bonds of matrimony heretofore existing between Sidney S. Ford, jr., and Josephine Ford.

H. B. No. 48—An act to legalize the assessment of Wahkiakum county.

Also, H. J. M. No. 10—Relative to the superintendency of Indian affairs.

H. M. No. 14—Praying the Postmaster General to establish a weekly mail route from Steilacoom to Fort Slaughter, at the crossing of the Puyallup river.

C. J. R. No. 1—Relative to an appropriation by Congress for the purchase of additional books for the Library of Washington Territory.

C. J. M. No. 1—Relative to an additional appropriation for completing the military road from Steilacoom to Fort Vancouver.

Upon leave, Mr. Webster introduced—

H. J. R. No. 17—Concerning the Surveyor General furnishing His

Excellency, Governor Gholson, with a map of Washington Territory.

Resolution read a first time.

Mr. Ferguson moved to suspend the rules, and that said resolution be now read a second time.

Carried, and resolution read a second time.

Mr. Miles moved to amend the resolution, by striking out the words "out of any Territorial."

Amendment adopted, when

On motion of Mr. Miles,

The resolution was referred to a select committee, consisting of the following gentlemen, viz: Messrs. Miles, Short and Swindall.

Upon leave, Mr. Ferguson introduced—

H. B. No. 63—An act concerning negroes, mulattoes and mongolians from giving evidence, either in civil or criminal cases, where a white person is a party.

(This bill was presented in order to supply the place of an original bill upon the same subject, which had been accidentally lost by the Judiciary committee, to whom said bill had been referred.)

Bill read a first time.

Mr. Miles moved a suspension of the rules, and that now be assigned as the time for the second reading of the bill.

Carried.

Mr. Weed moved to refer the bill to the committee on Judiciary.

Pending which motion,

Mr. Miles moved to refer the bill to a select committee, consisting of three members.

Carried, and the chair appointed Messrs. Swindall, Shockley and Noyes said committee.

Mr. Wood moved that the committee on Printing be instructed to have printed 1000 copies of Substitute for H. J. R. No. 10—Relative to the San Juan Affair.

Carried.

Upon leave, Mr. Shaffer introduced—

H. J. R. No. 18—Relative the Indians of Chehalis river and vicinity.

Resolution read a first time.

On motion of Mr. Shockley,

The rules were suspended and resolution read a second time, when

Upon motion of Mr. Brownfield,

The resolution was referred to the committee on Memorials.

Upon leave, Mr. Shaffer also introduced—

H. J. R. No. 19—Concerning the transportation of arms, &c.

Resolution read three several times, under a suspension of the rules, and passed.

Mr. Ferguson moved a suspension of the rules, and that H. M. No. 9, be taken from the table and be now acted upon.

Carried, and the Memorial was taken up, and the question being upon the adoption of certain amendments made by the Council to said Memorial, the House refused to concur therein.

Mr. Tennant, from committee on Memorials, upon leave, submitted the following report:

MR. SPEAKER:

The committee on Memorials to whom was referred H. J. R. No. 18—Concerning the hostility of the Indians residing near the Chehalis river and vicinity, have had the same under consideration and have instructed me to report the same back to the House, without amendment, and recommend its passage.

JOHN A. TENNANT,

Chairman.

The report was read and adopted.

Upon motion of Mr. Shockley,

The rules were suspended, and the above resolution read a third time and passed.

The Clerk was instructed to forthwith report the passage thereof to the Council.

Upon leave, Mr. Van Valzah introduced—

H. B. No. 66—An act to legalize the acts of the board of county commissioners of Jefferson county, at a term held the 6th day of June, A. D., 1859.

Bill read first time.

Mr. Ferguson moved that the rules be suspended, and that the bill be read a second time now.

Carried.

Bill read a second time, and

On motion of Mr. Wood,

Was referred to the committee on Judiciary, with instructions to report a general bill covering the entire subject.

Upon leave, Mr. Van Valzah also introduced—

H. B. No. 67—An act to authorize Messrs. Fowler & Co. to extend their wharf into the bay of Port Townsend.

Bill read a first time and laid on the table to be printed.

Upon leave, Mr. Willard introduced—

H. B. No. 64—An act to amend an act entitled an act to incorporate the city of Olympia.

Bill read a first time, and laid over to be printed.

Upon leave, Mr. Webster introduced—

H. J. R. No. 20—Relative to the election of Governor and Judges of the Supreme and Districts Courts by the people.

Resolution read a first time.

Mr. Miles moved to indefinitely postpone said resolution.

Upon this motion the yeas and naves were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Henness, Jackson, McCall, Miles, Noyes, Shead, Shelton, Shockley, Simmons, Swindall, Tennant, Weed, Willard and Yantis—14.

Those voting in the negative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Judson, Knapp, Savage, Shaffer, Short, Smith, Van Valzah, Webster, Wood and Mr. Speaker—16.

The House therefore refused to indefinitely postpone the resolution.

Resolution was laid on the table and ordered printed.

Mr. Tennant moved that the rules be suspended, and that the House do now pass to the “orders of the day.”

Carried, when

On motion of Mr. Short,
The House adjourned.

J. T. TURNER,
Chief Clerk.

WEDNESDAY, January 11th, 1860.

House met pursuant to adjournment.

Members all present at the calling of the roll.

Journal of yesterday read and approved.

Upon request, the Rev. Mr. Goddard opened the House with prayer.

Upon leave, Mr. Swindall introduced—

H. M. No. 17—Praying for the ratification of certain treaties with Indian tribes residing west of the Cascade Mountains.

Memorial read a first time and ordered to be printed.

Upon leave, Mr. Brownfield introduced—

H. J. R. No. 21—Relative to tendering a vote of thanks to Capt. Charles Dodd for procuring the scalp of Col. Isaac N. Ebey.

Resolution read a first time, and

On motion of Mr. Tennant,

The rules were suspended, and the resolution read a second and third times, and passed the House unanimously.

The Clerk was instructed to report the passage thereof forthwith to the Council.

Reports from standing committees.

Mr. Knapp, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER:

The Committee on Roads and Highways, to whom was referred H. B. No. 50—An act to locate a territorial road from John M. Shotwell's,

on Black river, to David Biles', on the Chehalis river, have had the same under consideration, and have instructed me to report the same back for the further consideration of the House, and ask to be discharged from the further consideration of the bill.

H. M. KNAPP,
Chairman.

Report received and adopted.

Mr. Ferguson, from the Committee on Counties, submitted the following report:

MR. SPEAKER :

The Committee on Counties, to whom was referred H. B. No. 55, have had the same under consideration, and have directed me to report the same back to the House, and ask to be excused from further consideration of the subject.

J. L. FERGUSON,
Chairman.

Report received and adopted.

Mr. Webster moved that when the House adjourn, that it adjourn till 2 o'clock, P. M., of this day.

And on this motion the ayes and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chenoweth, Ferguson, Gile, Henness, Knapp, McCall, Noyes, Shaffer, Shelton, Swindall, Van Valzah, Webster, and Wood—14.

Those voting in the negative, were—

Messrs. Chapman, Foster, Jackson, Judson, Miles, Savage, Shockley, Short, Simmons, Smith, Tennant, Weed, Willard, Yantis and Mr. Speaker—15.

The motion was therefore lost.

Upon leave, Mr. Foster introduced—

H. B. No. 68—An act conferring jurisdiction upon the district court of the county of King.

Bill read a first time, and

Upon motion of Mr. Knapp,

The rules were suspended, and the bill was read a second time, and Was then referred to the Committee on Judiciary.

Mr. Chenoweth gave notice that he would on Friday next, January 13th, introduce certain amendments to the Rules and Orders of the House.

Upon leave, Mr. Weed introduced—

H. B. No. 69—An act to empower county commissioners to fix the amount of license for the sale of intoxicating liquors.

Bill read a first time and laid over to be printed.

Message from the Council by their Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of the passage of the following bills, &c.:

H. J. R. No. 13—Relative to the office of Enrolling and Engrossing Clerks for each House of the Legislative Assembly.

H. B. No. 27—An act authorizing George Knaggs to establish a ferry across the Columbia river, with an amendment.

H. B. No. 49—An act to incorporate the Seattle Library Association.

H. J. R. No. 18—Concerning the Indians in Chehalis county and vicinity.

Also, that the Council has receded from their amendment to H. M. No. 9—Praying for an appropriation to survey and buoy out the channel of the Columbia river, from the mouth of the Willamette to the Cascades of the Columbia.

ANDREW J. MOSES,
Chief Clerk.

Upon leave, Mr. Shaffer introduced—

H. B. No. 70—An act relating to arbitrations.

Bill read a first time, and laid over to be printed.

Mr. Henness in the chair.

Upon leave, Mr. Ferguson introduced—

H. B. No. 71—An act for the suppression of houses of ill-fame.

Mr. Tennant moved that the bill be laid on the table without a first reading.

This motion being contrary to the rules of the House, was overruled by the chair, and the bill read a first time.

Mr. Chapman moved that the House do now resolve itself into a Committee of the Whole to take into consideration said bill.

Carried.

Mr. Chapman in the chair.

After some time spent in Committee of the Whole, the committee rose, and through their chairman reported progress, and begged leave to sit again.

Mr. Henness in the chair.

Report from committee received and adopted.

Mr. Ferguson moved that when this House adjourn, that it adjourn till 2 o'clock, this afternoon.

Upon this motion the ayes and nays were demanded, and the vote stood as follows:

Those voting in the affirmative, were—

Messrs. Brownfield, Chenoweth, Ferguson, Foster, Gile, Henness, Knapp, McCall, Noyes, Shaffer, Shead, Shelton, Short, Swindall, Tenant, Van Valzah, Webster, Weed, Willard and Wood—20.

Those voting in the negative, were—

Messrs. Chapman, Jackson, Judson, Miles, Savage, Shockley, Simmons, Smith, Yantis and Mr. Speaker—10.

Motion carried.

Upon motion of Mr. Wood,

The House adjourned till 2 o'clock, p. m., of to-day.

AFTERNOON SESSION.

House met pursuant to adjournment.

Upon calling the roll all members found present, except Mr. Savage.

Second reading of bills.

H. B. No. 61—An act in relation to dower,
Was taken up and read a second time, and
Was referred to Committee on Judiciary.

H. J. R. No. 16—Praying Congress to create an additional land
office in and for Washington Territory.
Resolution read a second time, and

Upon motion of Mr. Knapp,

The rules were suspended, the resolution read a third time and
passed.

H. B. No. 59—An act to incorporate the Spokane Bridge Company.
Bill read a second time, and

On motion of Mr. Knapp,

Was referred to the committee on Corporations.

H. B. No. 58—A bill for an act to incorporate Finback-Chuckle-
head-Watson-family Dashaway Division No. 1.

Bill read a second time.

Mr. Tennant moved to refer the bill to the Committee on Corpora-
tions.

Pending which motion,

Mr. Van Valzah moved to amend by referring the bill to the Com-
mittee on Military Affairs.

Carried, and the bill was so referred.

Mr. Ferguson moved a suspension of the rules, and that the House
do now take up—

H. B. No. 20—An act apportioning the representatives and coun-
cilmen for Washington Territory.

Lost.

H. B. No. 60—An act to punish persons for enticing sailors to de-
sert from ships.

Bill read second time, and

On motion of Mr. Tennant,

Was referred to the Committee on Commerce.

H. B. No. 55—An act to create Mason county,
Was read a second time, and

On motion of Mr. Weed,

Was referred to the committee on Counties.

H. B. No. 57—An act to exempt certain property of unmarried men from execution.

Bill read a second time, and

On motion of Mr. Tennant,

Was laid on the table, subject to the order of the House.

H. B. No. 56—An act entitled an act to carry into effect and construe an act, entitled an act to provide for the assessing and collecting county and territorial revenue.

Bill read a second time.

Mr. Knapp moved the indefinite postponement of the bill.

On this motion the ayes and nays were called for, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chenoweth, Ferguson, Foster, Henness, Jackson, Judson, Knapp, McCall, Miles, Noyes, Shaffer, Shockley, Short, Simmons, Smith, Swindall, Van Valzah, Webster, Yantis and Mr. Speaker—21.

Those voting in the negative, were—

Messrs. Chapman, Gile, Shead, Shelton, Tennant, Weed and Wood—7.

The bill was therefore indefinitely postponed.

H. B. No. 54—An act to establish a ferry between Whidby's Island and Port Townsend.

Bill read a second time, and

On motion of Mr. Knapp,

Was referred to the Committee on Corporations.

H. B. No. 67—An act to authorize Messrs. Fowler & Co. to extend their wharf into the bay of Port Townsend.

Bill read a second time, and laid over, and to-morrow assigned as the time for its third reading.

H. B. No. 64—An act to amend an act, entitled, an act to incorporate the town of Olympia.

Bill read a second time, and

On motion of Mr. Jackson,

The bill was laid on the table, and to-morrow assigned as the time for its third reading.

H. J. R. No. 20—Relative to the election of governor and judges of the supreme and district courts by the people of Washington Territory.

Resolution read a second time.

Mr. Foster moved a suspension of the rules, and that now be assigned as the time for the third reading.

Pending which motion,

Mr. Knapp moved to amend by laying the bill on the table, and that to-morrow be assigned as the time for the third reading.

Carried.

Substitute to H. B. No. 14—An act in relation to Indian half-breeds.
Bill read a second time.

Mr. Swindall moved its reference to the Committee on Military Affairs.

Pending which motion,

Mr. Henness moved to amend by referring the bill to the Committee on Indian Affairs.

Lost.

Mr. Browfield moved that the House do now adjourn.

Lost.

Mr. Webster moved to indefinitely postpone said bill.

Upon this motion, the yeas and nays were demanded, and the following was the result:

Those voting in the affirmative, were—

Messrs. Henness, Judson, Miles, Noyes, Shead, Shelton, Shockley, Short, Swindall, Simmons, Webster and Mr. Speaker—12.

Those voting in the negative, were—

Messrs. Brownfield, Chenoweth, Ferguson, Foster, Gile, Jackson, Knapp, McCall, Shaffer, Smith, Tennant, Van Valzah, Weed, Willard, Wood and Yantis—16.

The House therefore refused to indefinitely postpone said bill.

When, on motion of Mr. Tennant,

The bill was laid over, and to-morrow assigned as the time for the reading.

Business from the Council.

C. B. No. 10—An act authorizing John W. Park to establish a ferry across the St. Joseph's river.

Bill read a first time.

Mr. Smith moved to suspend the rules, and that the bill be read a second time.

Carried.

Mr. Simmons moved to refer the bill to the Committee on Roads and Highways.

Pending which motion,

Mr. Miles moved to amend by referring the bill to the Committee on Corporations.

Amendment lost.

And the question being upon the adoption of the original motion of Mr. Simmons, was it decided in the negative, and

On motion of Mr. Swindall,

The rules were further suspended, and the bill read a third time and passed and title approved.

C. B. No. 11—An act authorizing William Foreman to establish a ferry across the Cœur d'Alene river.

Bill read a first time.

Mr. Smith moved a suspension of the rules, and to assign now as the time for the second reading.

Carried.

On motion of Mr. Ferguson,

The rules were further suspended, the bill read a third time and passed, and title approved.

On motion of Mr. Shaffer,

The rules were suspended, and the House took from the table—

H. B. No. 32—An act to define the boundaries of Chehalis county.

The bill was read as amended by the committee to whom the bill had been referred, and the amendments by the committee adopted.

Mr. Swindall moved to further amend said bill by striking out in 1st

section all after the word "line," in the 6th line, and insert, "to the line between townships 17 and 18 north, to the corner to ranges 7 and 8; thence north, between ranges 7 and 8 west, to corner to townships 22 and 23; thence west to the ocean; thence southerly with the ocean beach to the place of beginning."

Which amendment, Mr. Shaffer moved to lay upon the table.

Pending which motion,

Mr. Henness moved to lay the bill, together with the amendment, upon the table, and that it be made the order of the day to-morrow.

Carried.

Third reading of bills.

H. B. No. 36—An act to authorize John Carson to construct a bridge across the Puyallup river, in Pierce county.

Bill read as amended by the Committee on Roads and Highways, and amendments adopted.

Bill read a third time and passed, and title approved.

H. B. No. 39—An act to establish a territorial road from Olympia, in the county of Thurston, to Steilacoom, in the county of Pierce,

Was taken up, and

The question being "shall the report of the Committee on Roads and Highways be adopted?" it was decided in the affirmative.

The bill was therefore, in accordance with the recommendation of the committee, indefinitely postponed.

H. B. No. 46—An act to locate a territorial road from Steilacoom, in Pierce county, to Olympia, in Thurston county,

Was taken up, and the report of the committee thereto adopted.

Bill read a third time and passed, and title approved.

C. B. No. 8—An act to authorize the Secretary of Washington Territory to receive compensation for certificate and seal of office,

Was taken up and read as amended by the Committee on Ways and Means, to whom the bill had been referred, and the amendments adopted.

On motion of Mr. Miles,

The bill was laid on the table.

H. B. No. 29—An act authorizing William Packwood to establish a bridge or ferry across the Nisqually river,

Was now taken up, and the amendments of the Committee on Roads and Highways to said bill read and adopted.

Mr. Wood moved to indefinitely postpone the bill.

Pending which motion,

Mr. Weed moved to amend by laying the bill on the table, and that it be made the order of the day to-morrow.

Carried.

H. B. No. 41—An act to incorporate the First Presbyterian Church of Olympia,

Was taken up and read as amended by the select committee to whom it had been referred, and the amendments adopted.

Bill read a third time and passed, and title agreed to.

H. B. No. 33—An act authorizing the board of county commissioners of the several counties to regulate the road tax in their respective counties.

Bill taken up and the report of the committee on said bill adopted.

A motion was made to lay the bill upon the table, and that it be made the order of the day to-morrow.

Motion lost.

Mr. Simmons moved to indefinitely postpone the bill.

Upon this motion the ayes and nays were demanded, and the vote stood as follows:

Those voting in the affirmative, were—

Messrs. Ferguson, Jackson, Knapp, McCall, Shead, Shelton, Shockley, Simmons, Swindall, Tennant, Weed, Willard and Yantis—14.

Those voting in the negative, were—

Messrs. Brownfield, Chapman, Chenoweth, Foster, Gile, Henness, Miles, Noyes, Short, Smith, Van Valzah, Webster, Wood and Mr. Speaker—14.

Motion lost.

Mr. Wood now moved to lay the bill on the table, and that it be made the order of the day to-morrow.

Lost.

Mr. Shaffer in the chair.

Mr. Simmons moved to lay the bill on the table, and that it be made the order of the day on the 5th of May, 1860.

Pending which motion,

Mr. Foster moved to adjourn.

Lost.

The question now being upon the original motion of Mr. Simmons, it was decided in the affirmative.

And the bill was laid over agreeable to Mr. Simmons' motion.

H. B. No. 40—An act to create and organize the county of Spokane,

Was taken up and read as amended by the Committee on Counties to whom the bill had been referred, and the amendments adopted.

Mr. Smith moved to further amend said bill by inserting the following names of persons to fill the various offices in said county, to-wit:

Messrs. — Seaman, James Hayes and Jacques Dumas shall be the county commissioners; John Winn, sheriff; R. H. Rogers, auditor; — Douglas, county treasurer; J. P. Bates, justice of the peace; and F. Wolff, coroner.

Amendments of Mr. Smith adopted.

And the bill was read a third time and passed, and title agreed to.

Business on the table.

H. B. No. 20—An act apportioning the representatives and councilmen for Washington Territory,

Was taken from the table, and

Upon motion of Mr. Ferguson,

Was referred to the following select committee of five members viz : Messrs. Ferguson, Webster, Wood, Shead and Short.

Upon motion of Mr. Foster,

The House adjourned.

J. T. TURNER,
Chief Clerk.

THURSDAY, January 12th, 1860.

House met pursuant to adjournment.

Upon calling the roll, members all present.

Journal of yesterday read and approved.

Reports of standing committees.

Mr. Chenoweth, Chairman of Committee on Judiciary, upon leave, presented three several reports, which were received and laid upon the table.

Report from select committees.

Upon leave, Mr. Ferguson presented the following report upon H. B. No. 20—An act entitled the apportionment of Washington Territory.

MR. SPEAKER:

The special committee to whom was referred H. B. No. 20, have had the same under consideration, and have directed me to report the same back with the following amendments, and recommend its passage as amended:

After the 5th line, add: and Whatcom and Island county one representative.

After the 10th line, add: Pierce and Sawamish counties one representative, and strike out all of the 11th line.

In the 12th line, strike out the figure 5 and insert 4.

After the 14th line, add: Lewis and Wahkiacum counties one representative.

Strike out the words "Wahkiacum and" in the 16th line.

In the 19th line, strike out the figure 2 and insert 1.

After the 19th line, add: Walla Walla, Spokane and Clickatat one representative, and strike out all of the 20th line.

Strike out all of the 23d line.

Strike out the word "and," in the 22nd line, and insert: Clalm and Jefferson, after the word Island.

In the 26th line, strike out the figure "1," and insert 2.

Strike out all of the 27th and 28th lines.

After the 28th line, add: Clarke, Cowlitz and Skamania one councilman, and Lewis, Chehalis, Wahkiacum and Pacific one councilman.

Strike out the word "Skamania," and after the word "Walla Walla," insert Spokane, in the 30th line—so as to read as follows:

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That the following be the apportionment of members for Washington Territory, viz:

MEMBERS OF THE HOUSE:

Whatcom county.....	1	Rep.
Island county.....	1	"
Whatcom and Island counties.....	1	joint Rep.
Clalm county.....	1	Rep.
Jefferson county.....	2	"
Kitsap county.....	3	"
King county.....	1	"
Pierce county.....	3	"
Pierce and Sawamish counties.....	1	joint "
Thurston county	4	"
Chehalis county.....	1	"
Lewis county.....	1	"
Lewis and Wahkiacum counties.....	1	j't. "
Cowlitz county.....	1	"
Pacific county.....	1	"
Clarke county.....	4	"
Skamania.....	1	"
Walla Walla county.....	1	"
Walla Walla, Spokane and Clickatat.....	1	j't "

MEMBERS OF THE COUNCIL:

Whatcom, Island, Jefferson and Clalm counties.....	1	j't	Councilman.
King and Kitsap counties.....	1	"	"
Pierce and Sawamish counties.....	1	"	"
Thurston county.....	2	"	"
Clarke county.....	1	"	"
Clarke, Cowlitz and Skamania.....	1	"	"
Lewis, Chehalis, Wahkiacum and Pacific.....	1	"	"
Walla Walla, Spokane and Clickatat.....	1	"	"

J. L. FERGUSON,

Chairman.

Report received and laid on the table.

Mr. Van Valzah moved that the House do now take up the report of the committee, and act upon the same.

Upon this motion the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Knapp, Miles, Noyes, Savage, Shaffer, Shockley, Short, Smith, Van Valzah, Webster, Wood and Mr. Speaker—18.

Those voting in the negative, were—

Messrs. Henness, Jackson, McCall, Shead, Shelton, Simmons, Swindall, Tennant, Willard and Yantis—10.

Absent—Mr. Judson.

The motion was therefore carried, and the report was taken up.

The question now being upon the adoption of the amendments by the committee of the whole, the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Knapp, Miles, Noyes, Savage, Shaffer, Shockley, Short, Smith, Van Valzah, Webster, Wood and Mr. Speaker—18.

Those voting in the negative, were—

Messrs. Henness, Jackson, Judson, Shead, Shelton, Simmons, Tennant, Weed, Willard and Yantis—11.

Amendments adopted.

Mr. Tennant moved to indefinitely postpone the bill.

Upon this motion the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Jackson, Judson, McCall, Shead, Shelton, Simmons, Swindall, Tennant, Weed, Willard and Yantis—11.

Those voting in the negative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Henness, Knapp, Miles, Noyes, Savage, Shaffer, Shockley, Short, Smith, Van Valzah, Webster, Wood and Mr. Speaker—19.

Motion lost.

Mr. Henness moved a re-consideration of the vote whereby the House had refused to indefinitely postpone said bill.

Pending which motion,

Mr. Knapp moved to amend, by having the bill now read a third time.

Pending which motion,

Mr. Wood moved to amend the amendment of Mr. Knapp, by laying the bill on the table.

Mr. Tennant moved to adjourn.

Upon this motion the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Jackson, McCall, Shead, Shelton, Shockley, Swindall, Weed, and Willard—8.

Those voting in the negative, were:

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Henness, Judson, Knapp, Miles, Noyes, Savage, Shaffer, Short, Simmons, Smith, Tennant, Van Valzah, Webster, Wood, Yantis and Mr. Speaker—22.

The House therefore refused to adjourn.

The question now being: "Shall the previous question to indefinitely postpone the bill, be now put," the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Knapp, Miles, Noyes, Savage, Shaffer, Short, Smith, Van Valzah, Webster, Wood and Mr. Speaker—17.

Those voting in the negative, were—

Messrs. Henness, Jackson, Judson, McCall, Shead, Shelton, Shockley, Swindall, Tennant, Weed, Willard, and Yantis—12.

Previous to the vote being taken, Mr. Wood moved to amend the previous question, by fixing the 5th day of May, 1860, as the time when said vote shall be taken.

Upon this motion the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Knapp, Miles, Noyes, Savage, Shaffer, Shockley, Short, Simmons, Smith, Van Valzah, Webster, Wood and Mr. Speaker—19.

Those voting in the negative, were—

Messrs. Henness, Jackson, Judson, McCall, Shead, Shelton, Swindall, Tennant, Weed, Willard and Yantis—11.

Motion carried.

The question now being: "Shall the bill be read a third time."

Pending which question,

Mr. Henness moved that when this House adjourn, it adjourn until 2 o'clock, P. M.

On this motion the ayes and nays were called for, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Gile, Henness, Jackson, Judson, McCall, Shead, Shelton, Shockley, Tennant, Weed and Yantis—11.

Those voting in the negative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Knapp, Miles, Noyes, Savage, Shaffer, Short, Simmons, Smith, Van Valzah, Webster, Wood and Mr. Speaker—18.

Motion lost.

The question being upon the third reading of the bill, it was decided in the affirmative.

Bill read a third time,

The question being, "shall the bill pass?" the ayes and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Knapp, Miles, Noyes, Savage, Shaffer, Shockley, Short, Simmons, Smith, Van Valzah, Webster, Wood and Mr. Speaker—19.

Message from the Council by their Clerk :

MR. SPEAKER :

I am instructed by the Council, to inform the House of the introduction of C. B. No. 16—An act authorizing H. D. Huntington to establish a ferry across the Cowlitz river.

Also, that the Council have passed the following bills and resolutions, to-wit:

C. B. No. 15—An act to dissolve the bonds of matrimony existing between J. O. Merilett and Lucinda Merilett.

H. J. R. No. 15—Relative to tendering thanks to Capt. Pickett, of the U. S. Army.

C. B. No. 14—An act authorizing Martha Martin to convey property.

H. J. R. No. 19—Concerning the transportation of arms.

ANDREW J. MOSES,
Chief Clerk.

Those voting in the negative, were—

Messrs. Henness, Jackson, Judson, McCall, Shead, Shelton, Swindall, Tennant, Weed, Willard and Yantis—11.

The bill therefore passed.

The question now being: "Shall this be the title of the bill,"
Pending which question,

Mr. Henness moved to amend the title of the bill, by striking out the word "apportionment," and insert the word "*unproportionment*," in lieu thereof.

Upon this motion the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Henness, Jackson, McCall, Shead, Shelton, Swindall, Tenant, Weed and Willard—9.

Those voting in the negative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Judson, Knapp, Miles, Noyes, Savage, Shaffer, Shockley, Short, Simmons, Smith, Van Valzah, Webster, Wood, Yantis and Mr. Speaker—21.

The House wisely refused to adopt the amendment.

The title was therefore approved.

On motion, the Clerk was instructed to report the passage thereof forthwith to the Council.

Message from the Council by their Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House that the Council have passed a resolution respectfully requesting the attendance of the Hon. G. K. Willard, of Thurston county, before that body.

ANDREW J. MOSES,

Chief Clerk.

Mr. Shaffer moved that when the House adjourn, it adjourn until 2 o'clock, P. M., of this day.

Carried.

On motion of Mr. Shaffer,

The House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Upon calling the roll, all the members found present.

Upon leave, Mr. Short presented a petition, signed by John Harney and 83 others, citizens of Clarke county, praying the Legislature to so amend the law regulating the sale of spirituous liquors, as to leave the same to the county commissioners of the several counties.

Petition read and laid on the table.

Upon motion of Mr. Tennant,

The committee on Printing were instructed to have 600 extra copies of the resolution concerning Capt. Geo. E. Picket, printed for the use of the House.

Upon leave, Mr. Shelton introduced—

H. B. No. 72—An act regulating elections, and prescribing the mode of supplying vacancies.

Bill read a first time, and ordered to be printed.

Mr. Knapp moved a re-consideration of the vote, whereby H. B. No. 33—An act authorizing the board of commissioners of the several counties to regulate the road tax in their several counties, was laid over, on yesterday, until the 5th day of May, 1860.

Pending which motion,

Mr. Tennant moved to lay the motion on the table.

Lost.

The original was then put and carried.

Bill read a third time.

The question being, “shall the bill pass?”

The yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Ferguson, Foster, Gile, Henness, Jackson, Judson, Knapp, Moyes, Savage, Shaffer, Short, Smith, Swindall, Van Valzah, Webster, Wood and Mr. Speaker—19.

Those voting in the negative, were—

Messrs. McCall, Shelton, Shockley, Simmons, Tennant, Weed and Willard—7.

Motion carried.

Bill read a third time and passed, and title approved.

Second reading of bills.

C. B. No. 13—An act defining the boundary line of Pacific county.

Read second time.

Mr. Gile moved a suspension of the rules, and that now be assigned as the time for the third reading.

Carried.

The bill was then read a third time and passed, and title approved.

H. B. No. 50—An act to locate and establish a territorial road from John M. Shotwell's, on Black river, to David Biles', on the Chehalis river

Was now taken up and read a second time.

Upon leave, Mr. Shaffer offered certain amendments to the bill, which were also adopted.

On motion of Mr. Miles,

The rules were suspended and bill read a third time, passed and title approved.

Third reading of bills.

H. B. No. 64—An act to amend an act entitled an act to incorporate the town of Olympia,

Was taken up, read a third time and passed, and title agreed to.

H. B. No. 67—An act to authorize Messrs. Fowler & Co. to extend their wharf into the bay of Port Townsend.

Bill read a third time and passed, and title approved.

H. J. R. No. 20—Relative to the election of Governor and Judges of the Supreme and Districts Courts by the people.

Read a third time.

The question being, "shall the resolution pass,"

Upon this question the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Judson, Knapp, Noyes, Savage, Shaffer, Shockley, Short, Smith, Van Valzah, Webster, Wood and Mr. Speaker—18.

Those voting in the negative, were—

Messrs. Henness, Jackson, McCall, Miles, Shead, Shelton, Simmons, Tennant, Weed, Willard and Yantis—11.

The bill therefore passed and title approved.

Substitute for H. B. No. 14—An act in relation to Indian half-breeds.

Bill read a third time, and the question being, "shall the bill pass,"

Upon this question the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Judson, Miles, Savage, Shockley, Smith, Tennant, Van Valzah, Weed, Willard, Wood and Yantis—17.

Those voting in the negative, were—

Messrs. Henness, Jackson, McCall, Shead, Shelton, Simmons, and Webster—7.

Bill passed and title approved.

H. B. No. 29—An act authorizing William Packwood to establish a bridge or ferry across the Nisqually river,
Was taken up.

Mr. Wood moved to indefinitely postpone the bill.

Pending which motion,

Mr. Shead moved to amend, by laying the bill on the table, and that it be made the order of the day one week from to-day.

Carried, and the bill was laid over.

Mr. Shaffer moved that the vote whereby C. B. No. 13—An act defining the boundary lines of Pacific county, had been passed, be now reconsidered.

Carried.

Mr. Shaffer moved that the bill be referred to a select committee of three members.

Carried.

The Chair appointed Messrs. Shaffer, Gile and Shockley said committee.

C. B. No. 5—An act to amend an act entitled an act relative to estrays and other unclaimed property.

Bill read as amended by the committee on Judiciary, who had reported

ed the bill back with the recommendation that it be indefinitely postponed.

The report and recommendation of committee adopted, and the bill was indefinitely postponed.

H. B. No. 63—An act concerning negroes, mulattoes and mongolians from giving evidence, either in civil or criminal cases, where a white person is a party.

Was now taken up, and the amendments thereto proposed by select committee adopted.

On motion of Mr. Miles,

The bill was read a third time,

The question being, "shall the bill pass?"

Upon this question the ayes and nays were demanded, and the vote stood as follows:

Those voting in the affirmative, were—

Messrs. Chapman, Ferguson, Foster, Jackson, Knapp, McCall, Miles, Shelton, Shockley, Short, Simmons, Swindall, Tennant, Yantis and Mr. Speaker—13.

Those voting in the negative, were—

Messrs. Brownfield, Chenoweth, Gile, Henness, Judson, Savage, Shaffer, Smith, Van Valzah, Webster, Weed, Willard and Wood—13.

The House therefore refused to pass the bill.

H. B. No. 61—An act in relation to dower.

Bill read a third time and passed, and title agreed to.

H. B. No. 68—An act conferring jurisdiction upon the district court of the county of King.

Bill read a third time, and passed and title agreed to.

Business from the Council.

C. B. No. 14—An act to authorize Martha Martin, a minor, to convey property.

Bill read a first time.

Upon motion of Mr. Wood,

The rules were suspended and bill read a second time.

Mr. Knapp moved a further suspension of the rules, and to assign now as the time for the third reading.

Carried.

Bill read a third time and passed, and title approved.

On motion of Mr. Jackson,

House adjourned.

J. T. TURNER,
Chief Clerk.

FRIDAY, January 13, 1860.

House met pursuant to adjournment.

Upon calling the roll all the members were found present.

Journal of yesterday read and approved.

Reports from standing committees.

Upon leave, Mr. Simmons, from Committee on Corporations, submitted the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred the following bills, have had the same under consideration, and have instructed me to make the following report:

H. B. No. 54—An act to establish a ferry between Whidby's Island and Port Townsend.

Add an additional section, to-wit:

"This charter shall remain in force for the period of ten years, unless sooner forfeited."

And recommend its passage as amended.

H. B. No. 52—An act to provide for the formation of Corporations for certain purposes.

Believing this bill to be contrary to the Organic Act, we recommend that it do not pass.

A. H. SIMMONS,
Chairman.

Report received and laid on the table.

Mr. Simmons, from the Committee on Enrolled Bills, upon leave submitted the following report:

MR. SPEAKER :

The committee on Enrolled Bills have examined the following bill, and find them correctly enrolled:

S. H. M. No. 10—Relative to merging of the military department of Oregon into that of the Pacific.

H. B., No. 8—An act to dissolve the bonds of matrimony between Charles Green and Cathrine Waprusa Green,

H. B. No. 49—An act to incorporate the Seattle Library Association,

H. J. R. No. 11—Relative to an Enrolling Clerk.

H. J. R. No. 18—Relative the Indians of Chehalis river and vicinity.

H. J. R. No. 13—Tendering thanks to Capt. Pickett, U. S. A.

H. J. R. No. 19—Concerning the transportation of arms, &c.

H. M. No. 9—Praying for an appropriation to survey and buoy out the channel of the Columbia river, from the mouth of the Willamette to the Cascades of the Columbia river.

H. J. R. No. 14—Relative to a geological survey of Washington Territory by the general government.

C. B. No. 14—An act to authorize Martha Martin, a minor, to convey property.

A. H. SIMMONS,
Chairman.

Report adopted.

Mr. Chenoweth, from the committee on Judiciary, to whom had been referred—

H. B. No. 66—An act to legalize the acts of the board of county commissioners of Jefferson county, at a term held the 6th day of June, A. D., 1859.

Reported by a general bill, entitled an act to legalize the acts of county commissions of such counties as held a term on the 6th day of June, 1859.

Report received and laid on the table.

Report from select committee.

Mr. Shaffer, upon leave, submitted the following report:

MR. SPEAKER :

The select to committee, to whom was referred C. B. No. 13—An act defining the boundary lines of Pacific county, have had the same under consideration, and have instructed me to report the same back with the following amendments:

That Sec. 3, be so amended as to read as follows: "This act to take effect on the 1st day of April, A. D. 1860."

LYMAN SHAFFER,
Chairman.

Report received and laid on the table.

Upon leave, Mr. Webster introduced—

H. B. No. 74—An act conferring jurisdiction upon the district court of the county of Kitsap.

Bill read a first time and laid over to be printed.

Upon leave, Mr. Van Valzah introduced—

H. B. No. 75—An act to establish a board of Pilots on Puget Sound.

Bill read a first time and laid over to be printed.

The Speaker gave notice that he would proceed to sign the following, to-wit:

H. M. No. 9—Praying for an appropriation to survey and buoy out the channel of the Columbia river, from the mouth of the Willamette to the Cascade of the Columbia.

H. J. R. No. 14—Relative to a geological survey of this Territory by the General Government.

H. B. No. 38—An act to legalize the assessment of Pacific county.

H. J. R., No. 2—Relative to the employment of an enrolling clerk,

H. B. No. 8—"An act to dissolve the bonds of matrimony between Charles Green and Cathrine W. Green,"

H. B. No. 49—An act to incorporate the Seattle Library Association.

S. H. M. No. 10—Relative to merging the military department of Oregon into that of the Pacific.

H. J. R. No. 19—Concerning the transportation of arms, &c.

H. J. R. No. 13—Tendering thanks to Capt. Pickett, U. S. A.

H. J. R. No. 18—Concerning the Indians in Chehalis county and vicinity.

Upon leave, Mr. Willard introduced—

H. B. No. 76—An act to incorporate the Puget Sound University.
Bill read a first time, and ordered to be printed.

Upon leave, Mr. Ferguson introduced—

H. B. No. 77—An act concerning, Negroes, Africans, Asiatics, and South Pacific Islanders.

Read a first time and ordered to be printed.

C. B. No. 13—An act defining the boundary line of Pacific county.
Was taken up and read as amended by the select committee, and

On motion of Mr. Shaffer,

Amendment adopted.

Bill read a third time, passed and title approved.

Mr. Chenoweth in the Chair.

Message from the Council by their Clerk:—

MR. SPEAKER :

I am instructed by the Council to inform the House that the President has signed the following bills, memorials and resolutions, and they are herewith returned to the house in which they originated:

H. B. No. 47—An act to dissolve the bonds of matrimony heretofore existing between Sidney S. Ford, jr., and Josephine Ford.

C. B., No. 3—"An act to locate a territorial road from Monticello to the Upper Cascades."

H. B. No. 48—An act to legalize the assessment of Wahkiakum county.

Also, H. J. M. No. 10—Relative to the superintendency of Indian affairs.

H. M. No. 14—Praying the Postmaster General to establish a weekly mail route from Steilacoom to Fort Slaughter, at the crossing of the Puyallup river.

C. J. R. No. 1—Relative to an appropriation by Congress for the purchase of additional books for the Library of Washington Territory.

C. J. M. No. 1—Relative to an additional appropriation for completing the military road from Steilacoom to Fort Vancouver.

H. M. No. 11—Relative to appropriating money for the transportation and settling the Indian tribes on their reserves east of the Cascade mountains.

H. J. M. No. 16—Relative to the land claim of Geo. W. Johnson, at the Cascades.

Also that the Council have passed the following memorial and resolution, viz:

H. M. No. 15—Relative to the increase of the payment or allowances by the United States to grand and petit jurors.

H. J. R. No. 12—Relative to a compilation of the history of Washington Territory, by James G. Swan.

ANDREW J. MOSES,
Chief Clerk.

The Speaker being indisposed, was excused by the House from further attendance to-day.

On motion of Mr. Swindall,

The House took from the table H. B. No. 43—An act to define the boundary lines of Sawamish county, and

Upon motion of Mr. Shead,

The bill was referred to a select committee of three members.

The chair appointed Messrs. Tennant, Smith and Knapp said committee.

H. B. No. 54—An act to establish a ferry between Whidby's Island and Port Townsend.

Was taken up, and the amendments of the committee were adopted. Bill read a third time and passed, and title approved.

H. B. No. 52—An act to provide for the formation of corporations for certain purposes.

Said bill had been reported back from the committee on Corporations with the recommendation "that the bill do not pass."

Mr. Henness moved the adoption of the report of committee.

Pending which motion,

Mr. Miles moved to lay the bill on the table and that it be made the order of the day for Jan. 16th, inst.

Carried.

C. B. No. 15—An act to dissolve the bonds of matrimony existing between L. O. Merilett and Lucinda Merilett.

Bill read a first time.

On motion of Mr. Miles,

The rules were suspended and bill read a second time.

When, on motion of Mr. Tennant,

The rules were further suspended, and the bill read a third time and passed and title approved.

H. B. No. 27—An act authorizing Geo. Knaggs to establish a ferry across the Columbia river.

Was taken up and read as amended by the Council, and the amendments adopted.

Business on the table.

H. B. No. 73—An act to legalize the acts of county commissioners of such counties as held a term of court on the 6th day of June, A. D. 1859.

Bill read a first time.

And under a suspension of the rules, was read a a second and third times and passed, and title approved.

Mr. Wood moved that when the House adjourn, it adjourn until 2 o'clock, P. M., of this day.

Mr. Van Valzah moved to amend, by adding: "that when this House adjourn it stand adjourned until Monday, 16th.

Pending which motion,

On motion of Mr. Shead,

House adjourned.

J. T. TURNER,
Chief Clerk.

SATURDAY, January 14th, 1860.

House met pursuant to adjournment.

Mr. Speaker in the Chair.

Upon calling the roll all the members were found present.

Journal of yesterday read and approved.

Mr. Simmons in the Chair.

Upon leave, Mr. Knapp introduced—

H. J. No. 22—Concerning the Register's and Receiver's offices of United States Lands, in W. T.

Resolution read a first time, and

On motion of Mr. Weed,

The rules were suspended and resolution read a second time.

Mr. Shead moved to amend the resolution, by adding the word "Receiver's" after the word "Register," so as to read: "Register's and Receiver's offices.

Amendment received and adopted, and

Upon motion of Mr. Knapp,

The resolution was referred to the following select committee of three members, viz:

Messrs. Knapp, Van Valzah and Tennant, who were instructed to make their report to the House within 30 minutes.

Report from special committees.

Upon leave, Mr. Tennant, from select committee, submitted the following report:

MR. SPEAKER:

The special committee, to whom was referred H. B. No. 43—An act to define the boundary lines of Sawamish county, have had the same under consideration, and have instructed me to report the same back to the House and recommend that it do not pass.

JOHN A. TENNANT,

Chairman.

Mr. Brownfield moved that the report be adopted.

Pending which motion,

Mr. Henness moved to lay the report on the table.

Carried.

Mr. Knapp, from select committee, presented the following report:

MR. SPEAKER :

The select committee, to whom was referred H. J. R. No. 22, have had the same under consideration, and have instructed me to report as follows:

Strike out the word "investigate," and insert the words, "inquire into," and strike out the word "affairs," and insert the word "condition," and recommend its passage.

H. M. KNAPP,
Chairman.

Report received and adopted.

On motion of Mr. Chapman,

The rules were suspended and resolution read a third time and passed.

The Clerk was instructed to report the passage thereof at once to the Council.

Upon leave, Mr. Wood introduced—

H. B. No. 78—An act to authorize William D. Vaughn to establish a ferry or ferries across White river, in Pierce county.

Bill read a first time, and ordered printed.

Upon leave, Mr. Chapman introduced—

H. B. No. 79—An act to locate a territorial road from Steilacoom, in Pierce county, to Yelm prairie in Thurston county.

Bill read a first time and ordered printed.

Upon leave, Mr. Noyes introduced—

H. B. No. 80—An act to prevent the sale of adulterated intoxicating liquors.

Bill read a first time and ordered printed.

Business on the table.

The report of the committee on H. B. No. 43 was now taken up and read, and the report adopted, and the House, therefore, refused to pass the bill.

Message from the Council by their Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House that the Council have passed the following resolution and bill:

H. J. R. No. 6—Concerning the equalizing postage on letters, papers, etc., through the Union.

H. B. No. 67—An act to authorize Messrs. Fowler & Co. to extend their wharf into the bay of Port Townsend.

Also, of the introduction of—

C. B. No. 17—An act to incorporate the Puget Sound Woolen Manufacturing Company.

ANDREW J. MOSES,
Chief Clerk.

On motion of Mr. Shaffer,
The House adjourned.

J. T. TURNER,
Chief Clerk.

MONDAY, January 16th, 1860.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll the following members were found to be absent, to-wit:

Messrs. Savage, Shead and Wood.

Journal of Saturday read and approved.

Upon leave, Mr. Ferguson introduced—

H. J. M. No. 18—Praying the establishment of a port of delivery at Cascade City.

Memorial read three several times under a suspension of the rules, and passed.

Upon leave, Mr. Chenoweth, from the Committee on Judiciary, introduced the following bills :

H. B. No. 81—An act relating to liens of mechanics and others for labor and materials.

H. B. No. 82—An act regulating the time within which civil actions may be commenced.

H. B. No. 83—An act in relation to bills of exchange and promissory notes.

H. B. No. 84—An act relating to deed.

H. B. No. 85—An act to prevent fraudulent conveyances.

The above bills were read by title and laid on the table, and ordered to be not printed.

Upon leave, Mr. Chenoweth introduced—

H. B. No. 86—An act to regulate suits for divorce and alimony.

Bill read a first time and laid over to be printed.

Mr. Miles gave notice that he would within ten days from to-day introduce a bill concerning estrays and other unclaimed property.

Upon leave, Mr. Foster introduced—

H. B. No. 87—An act to dissolve the bonds of matrimony existing between L. M. Collins and Dinna Collins,

Together with a petition, signed by J. W. Johnson and 32 others, citizens of King county, praying the Legislature to dissolve the bonds of matrimony as set forth in the above bill; as also three several affidavits of persons upon the above subject.

Bill read a first time, and under a suspension of the rules, was read a second and third times.

And the question upon its final passage being, "shall the bill now pass?" the ayes and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Jackson, Judson, McCall, Miles, Noyes, Shockley, Short, Smith, Van Valzah, Webster, Yantis and Mr. Speaker—18.

Those voting in the negative, were—

Messrs. Gile, Shelton, Simmons, Swindall and Willard—5.

The bill therefore passed and title approved.

Second reading of bills.

H. B. No. 69—An act to empower county commissioners to fix the amount of license for the sale of intoxicating liquors,

Was now taken up and read second time.

Mr. Knapp moved to amend the bill by referring the same to a vote of the people at the next general election.

Pending which motion,

Mr. Miles moved to refer the bill to a select committee of three members.

Carried, and the chair appointed Messrs. Miles, Short and Tennant as said committee.

H. B. No. 70—An act relating to arbitrations,

Was now taken up and read a second time.

Mr. Knapp moved to refer the bill to a select committee of three members.

Pending which motion,

Mr. Webster moved to refer the bill to the Committee on Judiciary.

Carried, and the bill was so referred.

Upon leave, Mr. Ferguson introduced—

H. B. No. 88—An act to authorize the people of the Territory of Washington to express by their votes at the next general election where they desire that the Capitol of Washington Territory shall be permanently located.

Bill read a first time.

Mr. Ferguson moved a suspension of the rules, and that the bill be read a second time now.

Upon this motion, the yeas and nays were demanded by Mr. Henness, and the following was the result:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Ferguson, Judson, Miles, Noyes, Shockley, Short and Smith—9.

Those voting in the negative, were—

Messrs. Chenoweth, Henness, Jackson, McCall, Shelton, Simmons, Swindall, Tennant, Webster, Weed and Willard—11.

The motion was therefore lost, and the bill was laid over to be printed.

Mr. Miles in the chair.

H. B. No. 71—An act for the suppression of houses of ill-fame.

Bill read a second time, and
Was referred to the Committee on Judiciary.

H. B. No. 74—An act conferring jurisdiction upon the district court of the county of Kitsap.

Bill read a second time, and

Upon motion of Mr. Noyes,

Was referred to Committee on Counties.

H. B. No. 75—An act to establish a board of pilots up straits of Puget Sound, Washington Territory.

Bill read a second time, and

Upon motion of Mr. Simmons,

Was referred to Committee on Commerce.

H. B. No. 76—An act to incorporate the Puget Sound University.

Bill taken up, and

On motion of Mr. Tennant,

Was laid over on its second reading till to-morrow.

H. B. No. 77—An act concerning negroes or Africans, Asiatics and South Pacific Ocean Islanders.

Bill read a second time, and

On motion of Mr. Henness,

Was referred to the Committee on Indian Affairs.

H. B. No. 32—An act to define the boundary lines of Chehalis county.

Message from the Council by their Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of the passage of H. J. R. No. 20—Relative to the election of governor and judges of the supreme and district courts by the people of Washington Territory.

H. B. No. 34—An act to locate the county seat of Sawamish county.

Also, that the President has signed the following bills, resolutions and memorials:

C. B. No. 14—An act to authorize Martha Martin, a minor, to convey property.

H. R. No. 10.—Relative to the merging of the military department of Oregon into that of the Pacific.

H. M. No. 9—Praying Congress for an appropriation to survey and buoy out the channel of the Columbia river, from the mouth of the Willamette to the Cascades of the Columbia.

H. J. R. No. 13—Relative to the office of Enrolling and Engrossing Clerks for each House of the Legislative Assembly.

H. J. R. No. 14—Relative to a geological survey of Washington Territory.

H. J. R. No. 18—Concerning the Indians in Chehalis county and vicinity.

H. J. R. No. 21—Relative to tendering a vote of thanks to Capt. Charles Dodd for procuring the scalp of Col. Isaac N. Ebey.

H. J. R. No. 19—Concerning the transportation of arms.

H. B. No. 8—An act to dissolve the bonds of matrimony between Charles Green and Catherine W. Green.

H. B. No. 38—An act to legalize the assessment of Pacific county.

H. B. No. 49—An act to incorporate the Seattle Library Association.

ANDREW J. MOSES,
Chief Clerk.

Mr. Swindall offered certain amendments to the bill.

Mr. Bagley, a citizen of Chehalis county, was called within the bar of the House to give testimony in relation to the topography of the county lying between Skookum Bay and Chehalis river.

When, after a considerable debate, the bill was referred,

Upon motion of Mr. Ferguson,

To a select committee of three members, consisting of Messrs. Tenant, Knapp and Smith, who were authorized to procure maps, charts, or any other matter that might enable and assist them in a thorough investigation of the subject matter of the bill referred to their consideration.

Message from the Council by their Clerk :

MR. SPEAKER:

I am instructed by the Council to inform the House of the passage of H. J. R. No. 22—Concerning the register and receiver's office of United States lands in Washington Territory,

And the appointment of Messrs. Caples, Burbank and Denny said committee on part of the Council.

ANDREW J. MOSES,
Chief Clerk.

Here, on motion, the House adjourned.

J. T. TURNER,
Chief Clerk.

TUESDAY, January 17th, 1860.

House met pursuant to adjournment.

Mr. Speaker in the Chair.

Upon calling the roll, members all present.

Journal of yesterday read and approved.

The Speaker announced to the House that he would appoint Messrs. Knapp, Noyes and Weed as a joint committee on the part of the House upon H. J. R. No. 22—Concerning the register and receiver's office of Washington Territory.

Reports from standing committees.

Mr. Chenoweth, chairman of the Committee on Judiciary, to whom was referred H. B. No. 70—An act relating to arbitrations; and also, H. B. No. 71—An act for the suppression of houses of ill-fame, reported the above bills back without amendments, and recommend the passage of the bills.

Mr. Gile, upon leave, presented the following report:

MR. SPEAKER:

The Committee on Commerce, to whom was referred H. B. No. 60—An act to punish persons for enticing seamen to desert, have had the same under consideration, and have instructed me to report the same back with the following amendments:

Strike out the word "and" in the 12 line, and insert the word "or;"

and strike out the word "and" in the 15th line, and insert the word "or," and recommend its passage.

H. S. GILE,
Chairman.

Mr. Tennant, from committee on Memorials, upon leave, submitted the following report:

MR. SPEAKER :

The Committee on Memorials having had H. J. R. No. 8—In relation to the payment of the Indian war debt, have had the same under consideration, and have instructed me to report the same back, and recommend that the resolution do not pass.

JOHN A. TENNANT,
Chairman.

Mr. Simmons, from the Joint Committee on Enrolled Bills, upon leave submitted the following report:

MR. SPEAKER :

The committee on Enrolled Bills have examined the following bills, and find them correctly enrolled:

H. J. No. 22—Concerning the Register's and Receiver's offices of United States Lands, in W. T.

H. B. No. 34—An act to locate the county seat of Sawamish county.

H. J. R. No. 20—Relative to the election of Governor and Judges of the Supreme and Districts Courts by the people.

H. B. No. 27—An act authorizing Geo. Knaggs to establish a ferry across the Columbia river.

H. J. R. No. 6—Concerning the equalizing postage on letters, papers, etc., through the Union.

H. B. No. 67—An act to authorize Messrs. Fowler & Co. to extend their wharf into the bay of Port Townsend.

C. B. No. 11—An act authorizing William Foreman to establish a ferry across the Cœur d'Alene river.

C. B. No. 10—An act authorizing John W. Park to establish a ferry across the St. Joseph's river.

C. B. No. 15—An act to dissolve the bonds of matrimony existing between L. O. Merilett and Lucinda Merilett.

C. B. No. 13—An act defining the boundary line of Pacific county.

A. H. SIMMONS,
Chairman on part of the House.

Report received and adopted.

Upon leave, Mr. Miles presented a letter and a petition from the citizens of Lewis county, relative to the creation of Mason county.

All of which,

On motion of Mr. Shead,

Was referred to the Committee on Counties.

Mr. Henness reported back H. B. No. 28—An act to establish a common school system for Washington Territory, from the Committee on Education, to whom the bill had been re-referred, and recommended that the bill do pass.

Mr. Speaker gave notice that he would proceed to sign the following, to-wit:

C. B. No. 15—An act to dissolve the bonds of matrimony existing between L. O. Merilett and Lucinda Merilett.

H. J. R. No. 20—Relative to the election of Governor and Judges of Supreme and District Judges of Washington Territory by the people.

H. J. R. No. 6—Concerning the equalizing postage on letters, papers, etc., throughout the Union.

H. J. R. No. 22—Concerning the Register and Receiver's office of United States lands in Washington Territory.

H. B. No. 27—An act authorizing Geo. Knaggs to establish a ferry across the Columbia river.

H. B. No. 34—An act to locate the county seat of Sawamish county.

H. B. No. 67—An act to authorize Messrs. Fowler & Co. to extend their wharf into the bay of Port Townsend.

C. B. No. 13—An act defining the boundary lines of Pacific county.

C. B. No. 10—An act authorizing John W. Park to establish a ferry across the St. Joseph's river.

C. B. No. 11—An act authorizing William Foreman to establish a ferry across the Cœur d'Alene river.

Upon leave, Mr. Jackson introduced—

H. B. No. 89—An act relating to taking up saw logs and other timber of value.

Bill read a first time and laid over to be printed.

Upon leave, Mr. Swindall introduced,

H. B. No. 90—An act to define the boundary lines between Sawamish and Thurston counties.

Bill read a first time and laid over to be printed.

Second reading of bills.

H. B. No. 88—An act to authorize the people of the Territory of Washington to express by their votes at the next general election where the Capitol of the Territory shall be permanently located.

Bill read a second time and referred to the Committee on Elections.

H. B. No. 78—An act to authorize William D. Vaughn to establish a ferry or ferries across White river, in Pierce county.

Bill read a second time.

Mr. Swindall moved to refer the bill to the Committee on Roads and Highways.

Lost.

Mr. Wood moved to suspend the rules, and that the bill be read a second time.

Pending which question,

Mr. Swindall moved to refer to a select committee of three members.

Lost.

Mr. Wood's motion prevailed.

Bill read a third time and passed, and title approved.

The Clerk was instructed to report the passage thereof at once to the Council.

H. J. M. No. 17—Praying for treaties to be formed with the Chehalis and othe tribes of Indians.

Memorial read a second time and referred to the Committee on Indian Affairs.

H. B. No. 79—An act to locate a territorial road from Steilacoom, in Pierce county, to Yelm prairie in Thurston county.

Bill read a second time and referred to the Committee on Roads and Highways.

H. B. No. 80—An act to prevent the sale of adulterated intoxicating liquors.

Bill read a second time and referred to the Committee on Judiciary.

The following bills were severally read a second time, and laid over, and to-morrow assigned as the time for the third reading, viz:

H. B. No. 81—An act relating to liens of mechanics and others for labor and materials.

H. B. No. 82—An act regulating the time within which civil actions may be commenced.

H. B. No. 83—An act in relation to bills of exchange and promissory notes.

H. B. No. 84—An act relating to deeds.

H. B. No. 85—An act to prevent fraudulent conveyances.

H. B. No. 42—An act defining the jurisdiction and practice in the probate courts of Washington Territory.

Third reading of bills.

H. B. No. 52—An act to provide for the formation of Corporations for certain purposes.

Was now taken up, and the report of the committee to "indefinitely postpone the bill,"

Upon motion of Mr. Tennant,

Report adopted.

H. B. No. 71—An act for the suppression of houses of ill-fame,

Was taken up, and the report of the committee upon said bill was adopted.

Bill read a third time.

Mr. Tennant moved to indefinitely postpone the bill.

Motion lost.

The question being, "shall the bill pass?"

The yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chenoweth, Ferguson, Foster, Jackson, Knapp, McCall, Noyes, Savage, Shaffer, Shead, Shelton, Short, Van Valzah, Webster, Weed, Willard, Wood and Mr. Speaker—19.

Those voting in the negative, were—

Messrs. Chapman, Gile, Henness, Judson, Miles, Shockley, Smith, Swindall, Tennant and Yantis—10.

Bill passed and title approved.

H. B. No. 70—An act relating to arbitrations,

Was taken up, and the report of the committee on Judiciary was read and adopted.

Bill read a third time.

The question being, "shall the bill pass?"

The yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Henness, Jackson, Judson, Knapp, McCall, Miles, Noyes, Savage, Shaffer, Shead, Shelton, Shockley, Short, Smith, Swindall, Tennant, Van Valzah, Webster, Weed, Willard, Wood, Yantis and Mr. Speaker—29.

Those voting in the negative, were—

None.

Mr. Simmons not voting.

The bill therefore passed and title approved.

Message from the Council by their Clerk:—

MR. SPEAKER :

I am instructed by the Council to inform the House of the passage of the following bills and resolution:

H. B. No. 41—An act to incorporate the First Presbyterian Church of Olympia,

H. B. No. 35—An act to incorporate the city of Port Townsend.

H. B. No. 23—An act to authorize William J. Terry to establish a bridge across the Spokane river in Spokane county.

H. J. R. No. 16—Praying Congress to create an additional land office in and for Washington Territory.

And of the introduction of—

C. B. No. 18—An act to provide for the sale of common school lands of the Territory of Washington.

Also, that the Council have indefinitely postponed—

H. B. No. 53—An act to dissolve the bonds of matrimony heretofore existing between A. R. Keller and Almira Keller.

A. J. MOSES,

Chief Clerk.

H. B. No. 60—An act to punish persons for enticing sailors to desert from ships.

Was taken up, and the report of the committee on Commerce upon said bill, was read and adopted.

Bill read a third time, passed and title approved.

Message from the Council by their Clerk:**MR. SPEAKER:**

I am instructed by the Council to inform the House that the vote by which H. B. No. 53 was indefinitely postponed was reconsidered, and that the bill has passed and the title agreed to.

A. J. MOSES.*Chief Clerk.*

Upon leave, Mr. Brownfield introduced—

H. B. No. 91—An act to define the boundary lines of Clalm county.
Bill read a first time, and laid over to be printed.

Message from the Council by their Clerk:**MR. SPEAKER :**

I am instructed by the Council to inform the House that the Council have passed the following bills:

H. B. No. 45—An act to dissolve the bonds of matrimony heretofore existing between Crowell H. Sylvester and Harriet P. Sylvester.

H. B. No. 87—An act to dissolve the bonds of matrimony between L. M. Collins and Dinna Collins.

A. J. MOSES,*Chief Clerk.*

Business on the table.

H. B. No. 28—An act to establish a common school system for the Territory of Washington,

Was taken up, and the report of the committee on said bill, read and adopted.

Mr. Wood moved that the bill be indefinitely postponed.

Lost.

Mr. Knapp moved to lay the bill on the table.

Lost.

Mr. Wood moved to adjourn.

Lost.

Mr. Shead moved that the bill be now read a third time.

Pending which motion,

Mr. Van Valzah moved that the bill be laid on the table, and that it be made the order of the day for to-morrow.

Carried.

On motion of Mr. Webster,
House adjourned.

J. T. TURNER,
Chief Clerk.

WEDNESDAY, January 18th, 1860.

House met pursuant to adjournment.

Mr. Speaker in the Chair.

Upon calling the roll, all the members found present, except Mr. Tennant.

Journal of yesterday read and approved.

Upon motion of Mr. Van Valzah,

A call of the House was made, and Mr. Tennant was found absent, and the Sergeant-at-arms was directed to bring in the absent member.

Upon motion of Mr. Chenoweth,

A further call of the House was dispensed with.

Upon leave, Mr. Shaffer presented a petition, signed by John Brady and 12 others, citizens of Chehalis county, praying the Legislature to grant a charter to J. L. Scammons, to establish a ferry across the Chehalis river.

Petition read and referred to the committee on Corporations.

Reports of standing committees.

Mr. Chenoweth, from the committee on Judiciary, upon leave, submitted the following report:

MR. SPEAKER :

The committee on Judiciary to whom was referred H. B. No. 80—An act to prevent the sale of adulterated intoxicating liquors, have had the same under consideration, and have instructed me to report the same back by “substitute.”

F. A. CHENOWETH,
Chairman.

The substitute was read a first time and ordered printed.

Upon leave, Mr. Simmons, from Committee on Corporations, submitted the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred H. B. No. 59, have had the same under consideration and have instructed me to report the same back and ask to be discharged from the further consideration of the subject.

The committee have, also, had under consideration H. B. No. 44, and have instructed me to report the same back and recommend its passage.

A. H. SIMMONS,
Chairman.

Report laid on the table.

Upon request of Mr. Miles, chairman of the committee to whom was referred C. B. No. 8—An act allowing the Secretary of Washington Territory to receive compensation for certificate and seal of office, was allowed further time to report thereon.

Upon leave, Mr. Knapp introduced—

H. B. No. 92—An act amendatory to an act, entitled an act to amend an act to incorporate the city of Vancouver.

Bill read a first time, and ordered to be printed.

Upon leave, Mr. Shaffer introduced—

H. B. No. 93—An act for the temporary establishment of the county seat of Chehalis county.

Bill read a first time and laid over to be printed.

Upon leave, Mr. Swindall introduced—

H. B. No. 94—An act to prevent persons obtaining divorces from marrying until such a period of time had elapsed.

Bill read a first time, and

Upon motion of Mr. Wood,
Was indefinitely postponed.

Message from the Council by their Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of the passage of the following, viz:

H. B. No. 50—An act to locate and establish a territorial road from John M. Shotwell's, on Black river, to David Biles', on the Chehalis river, with an amendment.

H. B. No. 40—An act to create and organize the county of Spokane, with amendments.

H. B. No. 26—An act to provide for the selection and location of lands reserved for University purposes, and to appoint a board of commissioners, with amendments, and ask the concurrence of the House therein.

Also of the introduction of—

C. B. No. 19—An act to establish the county seat of Pacific county.

ANDREW J. MOSES,

Chief Clerk.

Upon leave, Mr. Jackson introduced—

H. B. No. 95—An act relative to increase of county revenue.
Bill read a first time and laid over to be printed.

Upon leave, Mr. Gile submitted the following report:

MR. SPEAKER:

The committee on Commerce, to whom was referred H. B. No. 75, have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage.

H. S. GILE,

Chairman.

Report received and laid on the table.

Second reading of bills.

H. B. No. 72—An act regulating elections, and prescribing the mode of supplying vacancies.

Read second time.

Upon motion of Mr. Wood,
Was referred to committee on Elections.

H. B. No. 86—An act to regulate suits for divorce and alimony.
Bill read a second time.

Mr. Ferguson moved to refer the bill to a select committee of three members.

Lost.

Mr. Miles moved to lay the bill on the table.

Lost.

Mr. Simmons moved to amend the bill by striking out the words "one year," and insert in lieu thereof the words "three years."

Pending which motion,

Mr. Chapman moved to amend the amendment, by inserting the words "six months," instead of "three years."

Motion lost.

Mr. Wood moved that the House do now resolve itself into a committee of the whole, to take into consideration said bill.

Lost.

Mr. Wood moved to amend the bill, by inserting after the word "district," the words: "probate and justices."

Which motion to amend was lost, by a vote of 8 yeas to 21 nays.

Mr. Van Valzah moved to suspend the rules and that the bill be read a third time now.

Lost.

Upon motion of Mr. Shead,

The bill was laid over, and to-morrow assigned as the time for the third reading.

H. B. No. 90—An act to define the boundary lines between the counties of Thurston and Sawamish.

Bill read a second time, and

On motion of Mr. Ferguson,

Was referred to the following select committee, viz:

Messrs. Shead, Swindall and Chapman.

H. B. No. 91—An act to define the boundary lines of Clallam county,

Was read a second time, and

On motion of Mr. Van Valzah,

Was referred to the committee on Counties.

Upon leave, Mr. Wood introduced—

H. J. R. No. 23—Relative to appointing delegates from this Territory to the Pacific Railroad Convention to assemble at Sacramento city, California, in February next.

Mr. Chapman moved to indefinitely postpone the resolution.

Lost.

Resolution read a first time.

Mr. Wood moved a suspension of the rules, and to assign now as the time for the second reading.

Lost.

Resolution laid on the table and ordered printed.

Mr. Tennant, the member for whom the Sergeant-at-arms was dispatched, now appeared within the bar, and was excused for being absent.

Upon leave, Mr. Tennant, from select committee, submitted the following report:

MR. SPEAKER :

The select committee to whom was referred—An act to define the boundary lines of Chehalis county, have had the same under consideration, and a majority of the committee have instructed me to report the same back without amendment, and recommend that the bill do pass.

The chairman of the committee dissenting from this report.

JOHN A. TENNANT,
Chairman.

Report received and laid on the table.

Message from the Council by their Clerk:

MR. SPEAKER:

I am instructed by the Council, to inform the House that the Council have indefinitely postponed—

H. B. No. 33—An act authorizing the board of county commissioners of the several counties to regulate the road tax in their respective counties.

ANDREW J. MOSES,
Chief Clerk.

Third reading of bills.

H. B. No. 28—An act to establish a common school system for Washington Territory,
Was now taken up.

Mr. Wood moved to indefinitely postpone the bill.
Lost.

Mr. Henness moved to amend the bill by striking out Sec. 25, in Chapter IV.
Carried.

Mr. Webster moved to amend the bill, by inserting in Sec. 29, after the word "every," the words: "white male;" and after the word "meeting;" in second line of same section, insert the word "or."
Carried.

Mr. Wood moved to strike out Sec. 3, in Chapter IV.
Lost.

On motion of **Mr. Miles**,

The bill was considered on its second reading, and laid upon the table.

H. B. No. 42—An act defining the jurisdiction and practice in the Probate Courts in Washington Territory.
Bill read a third time and passed, and title agreed to.

H. B. No. 81—An act relating to liens of mechanics and others for labor and materials.
Bill read a third time and passed, and title approved.

H. B. No. 82—An act regulating the time within which civil actions may be commenced.
Bill read a third time and passed, and title agreed to.

H. B. No. 83—An act in relation to bills of exchange and promissory notes.
Bill read a third time, and passed and title agreed to.

H. B. No. 84—An act relating to deeds.
Bill read a third time and passed, and title approved.

H. B. No. 85—An act to prevent fraudulent conveyances.
Bill read a third time and passed, and title approved.

Business on the table.

H. B. No. 59—An act to incorporate the Spokane Bridge Company.

Was taken up and laid over, and to-morrow assigned as the time for the third reading.

H. B. No. 44—An act to amend an act, entitled an act to authorize and regulate the erection of wharves.

Laid over and to-morrow assigned as the time for the third reading.

H. B. No. 75—An act to establish a board of Pilots on Puget Sound.

Was taken from the table.

Mr. Wood moved to lay the bill on the table, and that it be made the order of the day one week from to-day.

Lost.

Mr. Tennant moved to amend the bill, by inserting the name of Henry Rhoeder as one of said board of commissioners.

Pending which motion,

The House adjourned.

J. T. TURNER,
Chief Clerk.

THURSDAY, January 19th, 1860.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Members all present at the calling of the roll.

Journal of yesterday read and approved.

Upon leave, Mr. Willard presented a petition from Elizabeth Pierce,

praying the Legislature to dissolve the bonds of matrimony existing between herself and Amos B. Pierce.

The above petition was accompanied by—

H. B. No. 96—An act to dissolve the bonds of matrimony existing between Amos B. Pierce and Elizabeth Pierce.

Bill read a first time.

And under a suspension of the rules, was read a second and third times.

The question being, "shall the bill pass?" the yeas and nays were demanded and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Ferguson, Foster, Gile, Jackson, Judson, Miles, Noyes, Savage, Shaffer, Short, Smith, Van Valzah, Yantis and Mr. Speaker—16.

Those voting in the negative, were—

Messrs. Chenoweth, Knapp, McCall, Shead, Shelton, Shockley, Simmons, Swindall, Tennant, Webster, Willard and Wood—12.

The bill therefore passed and title approved.

Mr. Ferguson, of Skamania county, gave notice, that at some future day he would introduce a joint resolution, asking of the government, through Congress assembled, accompanied with an act recommending its passage through that body, as amendatory of "an act to establish the territorial government of Washington, approved March 2nd, 1853," commonly known as the "Organic Act."

Report from standing committees.

Upon leave, Mr. Webster submitted the following report:

The committee on Elections, to whom was referred H. B. No. 88, have had the same under consideration, and the majority of said committee have instructed me to report the same back by a substitute thereto.

JOHN WEBSTER,

Chairman.

Report received and laid on the table.

Mr. Chenoweth, Chairman of Committee on Judiciary, upon leave, introduced the following bills, to-wit:

H. B. No. 98—An act relating to justices of the peace and constables, and the practice before justices of the peace.

Bill read a first time and laid over to be printed.

H. B. No. 99—An act relating to gaming and gaming contracts.
Bill read a first time and laid over to be printed.

H. B. No. 100—An act to prevent the sale of intoxicating liquors to Indians.

Bill read a first time, and ordered printed.

H. B. No. 101—An act to prevent the sale of intoxicating liquors to Kanakas.

Bill read a first time and ordered printed.

Mr. Swindall, upon leave, submitted the following minority report upon H. B. No. 75, to-wit:

MR. SPEAKER :

The undersigned, one of the committee on Commerce, to whom was referred H. B. No. 75—An act to establish a board of Pilot Commissioners on Puget Sound, begs leave to submit a minority report, recommending that the bill do not pass, for the following reasons:

1st. The interests of Washington Territory do not require it.

2nd. Those who are most interested in this matter have not called for it.

3d. If the bill pass and there be commissioned pilots on Puget Sound, then all vessels will be compelled to take a pilot on board, or forfeit the insurance on the vessel or cargo.

4th. It will be a source of revenue to those lucky individuals who get the pilot affair under their control, and a great detriment to the real bone and sinew of the country, especially those who are doing a business that brings a surplus revenue in.

5th. Last, though not least, any man who cannot navigate this great inland sea by the chart, ought not to be in command of a vessel.

C. W. SWINDALL.

Report received and laid on the table.

Upon leave, Mr Gile introduced—

H. B. No. 102—An act regulating the measurement of oysters in Shoalwater Bay, Pacific county.

Bill read a first time, and

On motion of Mr. Shaffer,

The rules were suspended and bill read a second time.

On motion of Mr. Miles,

The rules were further suspended, and the bill read a third time and passed and title approved.

The same gentleman, also, introduced—

H. B. No. 103—An act to protect the salmon fisheries on Chenook beach, Pacific county.

Bill read a first time, and

On motion of Mr. Webster,

The rules were suspended and the bill was read a second and third time, passed and title approved.

Upon leave, Mr. Miles introduced—

H. J. R. No. 24—Relative to the appointment of Henry L. Caples to the office of Receiver of monies for public lands in Washington Territory.

Resolution read a first time.

Amended and referred to the committee on Judiciary.

Upon leave, Mr. Shaffer introduced—

H. B. No. 104—An act to incorporate the Chehalis Steamboat Navigation Company.

Bill read a first time and ordered printed.

Upon leave, Mr. Jackson introduced—

H. B. No. 105—An act to amend an act relating to the construction and maintaining of roads.

Bill read a first time, and ordered to be printed.

Upon leave, Mr. Noyes introduced—

H. B. No. 106—An act to regulate the county tax of Kitsap county.

Read a first time and ordered to be printed.

Message from the Council by their Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House that the Council have passed the following bills:

C. B. No. 19—An act to establish the county seat of Pacific county.

H. B. No. 36—An act to authorize John Carson to construct a bridge across the Puyallup river, in Pierce county, with amendments.

C. B. No. 16—An act authorizing H. D. Huntington to establish a ferry across the Cowlitz river.

H. B. No. 37—An act to authorize John Walker to establish a ferry across the Puyallup river, in Pierce county,

Also, of the introduction of—

C. B. No. 20—An act to incorporate the Olympia Wharf Company.

ANDREW J. MOSES,

Chief Clerk.

Second reading of bills.

H. B. No. No. 89—An act relating to taking up saw-logs and other timber of value.

Was read a second time, and under a suspension of the rules, was read a third time and passed, and title approved.

Substitute for H. B. No. 80—An act to prevent the sale of adulterated intoxicating liquors.

Read second time, and

On motion of Mr. Chenoweth,

Was laid over and to-morrow assigned as the time for the third reading.

H. B. No. 75—An act to establish a board of pilots on the waters of Puget Sound.

Mr. Tennant moved that the name of Henry Roeder be inserted as one of the board of commissioners.

Carried.

Mr. Chapman moved to insert the name of J. S. Jaquith.

Carried.

Mr. Miles moved to insert the name of Jno. L. Butler, as one of said board.

Pending which motion,

Van Valzah moved to strike out the name of A. B. Gove, and insert the name of John L. Butler in lieu thereof.

Amendment adopted.

Mr. Wood moved to insert the name of C. J. Noyes as one of said commissioners.

Pending which motion,

Mr. Noyes moved to amend, by inserting the name of M. S. Drew instead thereof.

Carried.

Mr. Ferguson moved to insert, "that any three or more members of said board shall constitute a quorum for the transaction of any and all business connected or appertaining to the duties of said board.

Which motion, Mr. Wood moved to amend, by inserting that a majority shall constitute a quorum.

Lost.

And the question now being upon the adoption of the original motion, it was carried.

Mr. Brownfield moved that the name of E. H. McAlmond be inserted as one of said board of commissioners.

Carried.

Mr. Webster now moved that the bill be indefinitely postponed.

Upon this motion the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Foster, Jackson, Knapp, McCall, Miles, Noyes, Savage, Shaffer, Shead, Shelton, Simmons, Smith, Swindall, Webster, Yantis and Mr. Speaker—16.

Those voting in the negative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Gile, Judson, Tennant, Van Valzah, Weed, Willard and Wood—11.

The bill was therefore indefinitely postponed.

Third reading of bills.

H. B. No. 44—An act to amend an act entitled an act to authorize and regulate the erection of wharves.

Bill read a third time and passed, and title approved.

H. B. No. 59—An act to incorporate the Spokane bridge company. Bill read a third time, passed and title approved.

H. B. No. 86—An act to regulate suits for divorce and alimony.

The bill read a third time and passed, and title approved.

H. B. No. 28—An act to establish a common school system for Washington Territory.

Bill read a third time, and the question being, "shall the bill pass?"

The yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chenoweth, Ferguson, Foster, Gile, Henness, Jackson, Judson, Knapp, McCall, Miles, Noyes, Savage, Shaffer, Shead, Shelton, Short, Simmons, Smith, Swindall, Tennant, Van Valzah, Webster, Weed, Willard, Yantis and Mr. Speaker—27.

Those voting in the negative, were—

Messrs. Chapman and Wood—2.

Mr. Shockley not voting.

The bill therefore passed and title approved.

Upon motion of Mr. Shead,

House took from the table—

H. B. No. 76—An act to incorporate the Puget Sound University.

Mr. Shead moved to incorporate in said bill the names of W. W. Miller, G. K. Willard and B. L. Henness.

Carried.

Mr. Wood moved to incorporate in said bill, also, after striking out the name of O. P. Meeker, the following names, as members of the body corporate, viz: Samuel McCaw, J. B. Webber, Charles Prosch and ——— Meeker.

Carried.

Upon motion of Mr. Brownfield,

House adjourned.

J. T. TURNER,
Chief Clerk.

FRIDAY, January 20, 1860.

House met pursuant to adjournment.

Mr. Speaker in the Chair.

Upon calling the roll all the members were found present.

Journal of yesterday read and approved.

Message from the Council by their Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of the passage of the following, viz:

Substitute for H. B. No. 5—An act conferring jurisdiction upon the District Court of the county of Walla Walla.

H. B. No. 81—An act relating to liens of mechanics and others for labor and materials.

H. B., No. 21—An act to regulate the practice and proceedings in civil practice in district courts, with amendments.

Substitute for H. B. No. 20—An act apportioning the representatives and councilmen for Washington Territory.

ANDREW J. MOSES,
Chief Clerk.

Mr. Van Valzah presented a petition, signed by Henry Webber and 28 others, resident citizens in the precinct of Port Discovery, remonstrating against any change on the boundary lines of Clalm county.

Petition read and laid on the table.

Mr. Wood moved a suspension of the rules, and that the House take up Substitute for H. B. No. 20—An act apportioning the representatives and councilmen for Washington Territory.

Motion lost.

Reports from standing committees.

Mr. Ferguson, from the Committee on Counties, submitted the following report:

MR. SPEAKER:

The Committee on Counties, to whom was referred H. B. No. 91, have had the same under consideration, and have directed me to report the same back to the House, and ask to be excused from the further consideration of the subject.

J. L. FERGUSON,
Chairman.

Report received and laid on the table.

The same gentleman, also, submitted the following report:

MR. SPEAKER:

The committee on Counties to whom was referred H. B. No. 55, have had the same under consideration, and have directed me to report the same back and ask to be excused from the further consideration of the subject.

J. L. FERGUSON,
Chairman.

Report received and laid on the table.

Upon leave, Mr. Knapp presented the following report:

MR. SPEAKER:

The committee on Roads and Highways, to whom was referred H. B. No. 79, have had the same under consideration, and have instructed me to report the same back, with the following amendment, and recommend its passage as amended.

H. M. KNAPP,
Chairman.

Report received and laid on the table.

Mr. Chapman in the chair.

Second reading of bills.

H. B. No. 98—An act relating to justices of the peace and constables, and the practice before justices of the peace.

Bill read a second time, and

Upon motion of Mr. Chenoweth,

The bill was laid over, and to-morrow assigned as the time for the third reading.

H. B. No. 99—An act relating to gaming and gaming contracts.

Bill read a second time, and

Under a suspension the rules, bill read a third time, passed and title approved.

H. B. No. 100—An act to prevent the sale of intoxicating liquors to Indians.

Was read a second time, and

Under a suspension the rules, bill read a third time and passed, and title approved.

H. B. No. 101—An act to prevent the sale of intoxicating liquors to Kanakas.

Bill read a second time, and

Under a suspension of the rules, bill read a third time, passed and title approved.

Upon motion of Mr. Ferguson,

The rules were suspended, and House took up Council Substitute for H. B. No. 20—An act entitled the apportionment of Washington Territory.

Bill read a first time.

Mr. Wood moved a suspension of the rules, and that the bill be read a second time now.

Pending which motion,

Mr. Van Valzah moved to refer the bill to a select committee of three members, and that said committee be instructed to report to the House during its present session.

Carried.

The chair appointed Messrs. Knapp, Webster and Ferguson said committee.

H. B. No. 76—An act to incorporate the Puget Sound University.
Bill taken from the table and read by title.

Mr. Wood moved to strike out the words "or near Olympia," and insert "such place as a majority of said board of trustees may select."

Motion lost.

Mr. Wood moved to refer the bill to a select committee of five members.

Lost.

On motion of Mr. Biles,

Bill read a third time and passed, and title approved.

Third reading of bills.

Substitute for H. B. No. 80—An act to prevent the sale of adulterated intoxicating liquors.

Mr. Tennant moved to amend the bill, by inserting in Section 2, the words, after the word "owner," "or at his own option."

Carried.

Mr. Wood moved to further amend the bill, by striking out in Sec. 5, the words "two dollars" and insert "fifty cents;" and strike out the figures "25," and insert "12½."

Amendment adopted.

Bill read a third time, and the question being, "shall the bill pass?"

The yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chenoweth, Ferguson, Foster, Jackson, McCall, Noyes, Savage, Shead, Shelton, Shockley, Simmons, Swindall, Tennant, Webster, Weed, Willard, Wood and Yantis—19.

Those voting in the negative, were—

Messrs. Chapman, Gile, Shaffer, Short, Smith, Van Valzah, and Mr. Speaker—8.

The bill therefore passed and title approved.

Message from the Council by their Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House that the President has signed the following bills and resolutions, and they are herewith returned to the house in which they originated:

H. B. No. 27—An act authorizing George Knaggs to establish a ferry across the Columbia river.

H. B. No. 67—An act to authorize Messrs. Fowler & Co. to extend their wharf into the bay of Port Townsend.

H. B. No. 43—An act to define the boundary line of Sawamish county.

H. J. R. No. 20—Relative to the election of governor and judges of the supreme and district courts by the people of Washington Territory.

H. J. R. No. 6—Relative the equalizing postage on letters, papers, etc., throughout the Union.

Also, that the President has signed the following acts having originated in the Council:

C. B. No. — An act to dissolve the bonds of matrimony between L. O. Merilett and Lucinda Merilett.

C. B. No. — An act to authorize William Forman to establish a ferry across the Cœur d'Alene river.

C. B. No. — An act authorizing John W. Park to establish a ferry across the St. Joseph's river.

C. B No. 13—An act defining the boundary line of Pacific county.

A. J. MOSES,
Chief Clerk.

Mr. Knapp, from select committee, presented the following report:

MR. SPEAKER:

The select committee to whom was referred Council Substitute for the apportionment bill of the House, beg leave, after having had the subject fully under consideration, to report as follows:

In Kitsap county, strike out figure 2, and insert 3 representatives.

In Pierce county, strike out figure 2, and insert 3 representatives.

Strike out Pierce and Kitsap one joint representative.

Thurston county, strike out 5 and insert 4 representatives.

Strike out "and Skamania," so as to read, Clarke one councilman.

Strike out Lewis, and insert Skamania one joint councilman.

Strike out Thurston and insert Lewis.

Strike out figure 1 and insert figure 2.

Strike out Sawamish and insert King.

Strike out King and insert Sawamish.

Strike out figure 1, after Island and Whatcom, so that it will read as follows:

REPRESENTATIVES:

Whatcom county.....	1	Rep.
Island.....	1	"
Whatcom and Island.....	1	"
Clalm.....	1	"
Jefferson.....	2	"
Kitsap.....	3	"
King.....	1	"
Pierce.....	3	"
Sawamish.....	1	"
Thurston.....	4	"
Chehalis.....	1	"
Lewis.....	1	"
Cowlitz.....	1	"
Lewis, Cowlitz and Wahkiakum.....	1	joint Rep.
Pacific.....	1	Rep.
Clarke.....	4	"
Skamania.....	1	"
Walla Walla.....	1	"

Walla Walla, Spokane and Clickatat.....	1 joint Rep.
	<hr/> 30

COUNCILMEN:

King and Kitsap.....	1 Coun.
Pierce and Sawamish.....	1 “
Thurston.....	2 “
Clarke.....	1 “
Clarke, Cowlitz and Skamania.....	1 j’t Coun.
Lewis, Chehalis, Wahkiakum and Pacific	1 “ “
Walla Walla, Spokane and Clickatat.....	1 “ “
Island, Whatcom, Jefferson and Clalm.....	1 “ “
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H. M. KNAPP,
Chairman.

Report read, and the amendments and recommendations of the committee were adopted.

Mr. Wood moved to suspend the rules, and that the bill be read a third time now.

Carried.

Bill read a third time.

The question being, “shall the bill pass?” the yeas and nays were demanded and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Knapp, Miles, Noyes, Savage, Shaffer, Shockley, Short, Smith, Van Valzah, Webster, Wood and Mr. Speaker—18.

Those voting in the negative, were—

Messrs. Jackson and McCall—2.

The bill therefore passed and title approved.

Business on the table.

H. B. No. 91—An act to define the boundary lines of Clalm county, Was now taken up, and certain amendments offered by the committee to whom the bill had been referred, were adopted.

Mr. Van Valzah moved the indefinite postponement of the bill.
Pending which motion,

Mr. Brownfield moved to lay the bill on the table, and that it be made the order of the day for Monday next.

Carried.

Upon leave, Mr. Knapp, from select committee, submitted the following report:

MR. SPEAKER :

The joint committee, on the part of the House, who were appointed to investigate the condition of the Register's and Receiver's offices, have instructed me to report as follows, viz:

The office of Register was created in 1854, and H. C. Mosely was appointed Register, and the only business which appears to have been transacted by him was the receiving and filing of Notifications. No books were opened—no copies of letters kept, and, in fact, scarcely any necessary arrangements were made for keeping the records of the office. Mr. Mosely was succeeded by Wm. A. Strickler, who conducted the affairs of the office nearly in the same manner as his predecessor.

Many of the "final proofs" of settlers claiming under the Donation Law, were made during his term of office, but they were merely filed with the original notification, without being entered on the Tract Books, or connected with the public surveys; and at the time of his resignation, the books and papers of the office were in a worse state, (if possible,) than at the time he assumed the duties thereof.

Mr. Strickler was succeeded by Mr. Ranken, who remained in the office but a very few months. He is subject to as much censure as either of his predecessors, and we cannot discover that he has performed his duties as Register. He left on a "leave of absence," since which time nothing has been heard of him, officially. There are but few of the claims entered on the Tract Books: many, if not all of the papers which have been forwarded to Washington having been transmitted without being entered on the books, and copies retained in the office. Therefore, from the organization of the office up to the present time, nothing but the notifications appear on file. There are many conflicts between different claimants under the Donation Law, but owing to the continued absence of either Register or Receiver, these contests cannot be settled, thereby causing a great deal of trouble and expense to claimants.

The records of the offices could not possibly be in a worse condition, and if allowed to remain as they are, must inevitably cause great confusion and trouble.

It will be impossible to have the work brought up, under 18 months or two years, even with the assistance of one or two competent clerks.

There are no blanks for making final proofs in the office, and settlers are driven to the necessity of having their papers made out at their own expense.

There are about 1600 donation claims, and of that number only 150 are connected with the public surveys by platting, although some 250 have been returned by the Surveyor General, and about 400 taken by legal subdivisions.

Therefore, in view of these facts, the committee do recommend that a memorial be passed by this Legislature, asking for the appointment of a Register and Receiver for the offices in this place, and also for an appropriation of three thousand dollars to bring up and put into shape the affairs of these offices.

And in conclusion, the committee state that no censure should attach to Wm. M. Randall, (the present acting Register,) as we believe he has done all in his power to accomodate settlers and claimants, and also to bring up the work of the office.

All of which is respectfully submitted.

H. M. KNAPP,
Chairman.

Report received and adopted, and ordered printed.

The above report was accompanied by the following Concurrent Resolution No. 25, to-wit:

Be it resolved by the Legislative Assembly of the Territory of Washington, That a copy of the foregoing report be sent to our Delegate in Congress, that he may submit the same to the proper department, and earnestly urge that measures be at once taken for our relief. That he respectfully request the President of the United States to appoint officers who will attend to their duties, and that they be provided with sufficient clerical aid to bring up what is now behind hand, so that the business of the Register's and Receiver's offices may hereafter be promptly and efficiently conducted.

Resolution laid on the table and ordered printed.

Mr. Swindall moved that when this House adjourn, that it stand adjourned till Monday, Jan. 23d, inst.

Carried.

Business from the Council.

H. B., No. 21—An act to regulate the practice and proceedings in civil actions in district courts,

Was now taken up and read as amended by the Council, and the amendments concurred in.

On motion of Mr. Shaffer,

H. B. No. 32—An act to define the boundary lines of Chehalis county.

Was taken from the table and read as amended by the committee, and amendments adopted.

Bill read a third time and passed, and title agreed to.

Upon motion of Mr. Smith,

Substitute for H. B. No. 23—An act to authorize William J. Terry to establish a ferry across the Spokane river, in Spokane county,

Was now taken up and read first time.

Mr. Smith moved to amend the bill, by inserting the following words:

“At or near a point where said William J. Terry has commenced the construction of a bridge across Spokane river.”

Amendment adopted.

Was read a second time, and under a suspension of the rules, was read a third time and passed, and title approved.

Upon motion of Mr. Brownfield,

H. B. No. 29—An act authorizing William Packwood to establish a bridge or ferry across the Nisqually river,

Was now taken up and read a third time.

The question being, “shall the bill pass?”

The yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chenoweth, Foster, Jackson, McCall, Miles, Savage, Shead, Shelton, Shockley, Simmons, Smith, Swindall, Tennant, Weed, Willard and Yantis—17.

Those voting in the negative, were—

Messrs. Chapman, Webster and Wood—3.

The bill therefore passed.

Pending the question, “shall this be the title of the bill?”

Mr. Wood moved to insert “the commissioners of Thurston and Pierce counties.”

Lost.

The title of the bill was approved.

When, on motion of Mr. Tennant,
The House adjourned.

J. T. TURNER,
Chief Clerk.

MONDAY, January 23^d, 1860.

House met pursuant to adjournment.

Mr. Speaker in the Chair.

Upon calling the roll, all the members found present, except Messrs. Savage, Van Valzah and Yantis.

Journal of Friday read and approved.

Upon leave, Mr. Ferguson introduced—

H. J. M. No. 19—Relative to a semi-weekly mail service upon Puget Sound.

Memorial read a first time, and under a suspension of the rules, read a second and third times and passed.

Upon leave, Mr. Chenoweth introduced—

H. J. M. No. 20—Relative to compensation to Gov. R. D. Gholson for performing *ex officio* the duties of secretary of Washington Territory.

Memorial read a first time, and under a suspension of the rules, read a second and third times and passed.

The Clerk was instructed to report the passage thereof at once to the Council.

Upon leave, Mr. Brownfield presented a petition, signed by Michael Carroll and 28 others, citizens of Clalm county, praying the Legislature to establish certain boundary lines of said county of Clalm.

Petition laid over to be considered at the time when the bill in relation thereto shall come up before the House.

Mr. Knapp, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER :

The Committee on Roads and Highways, to whom was referred H. B. No. 25, have had the same under consideration, and have instructed me to report the same back for the further consideration of the House, and ask to be discharged from the further consideration of the subject.

H. M. KNAPP,
Chairman.

Mr. Simmons, from the Joint Committee on Enrolled Bills, upon leave submitted the following report:

MR. SPEAKER :

The Joint Committee on Enrolled Bills have examined the following bills, and find them correctly enrolled:

H. B. No. 45—An act to dissolve the bonds of matrimony heretofore existing between Crowell H. Sylvester and Harriet P. Sylvester.

H. B. No. 53—An act to dissolve the bonds of matrimony heretofore existing between A. R. Keller and Almina Keller.

H. B. No. 87—An act to dissolve the bonds of matrimony existing between L. M. Collins and Dinna Collins.

H. B. No. 41—An act to incorporate the First Presbyterian Church of Olympia.

H. J. R. No. 16—Praying Congress to create an additional land office in and for Washington Territory.

C. J. M. No. 2—Relative to the establishment of a military road from Vancouver to Fort Simcoe.

A. H. SIMMONS,
Chairman on part of the House.

Report received and adopted.

Upon leave, Mr. Webster introduced—

H. J. R. No. 26—Relative to the introduction of new legislative matter after January 28th inst.

Which was read a first time and laid over.

Mr. Miles, chairman of select committee, to whom was referred H. B. No. 69—An act to empower the county commissioners to fix the amount of license for the sale of intoxicating liquors, reported the same back by a substitute to the original bill.

Substitute read a first time, and laid over to be printed.

Upon leave, Mr. Chenoweth introduced—

H. B. No. 107—An act to punish sailors for deserting ships in the waters of Puget Sound.

Bill read a first time and laid over to be printed.

Upon leave, Mr. Foster introduced—

H. J. R. No. 27—Concerning extra pay for the members, attachees, or officers of the Legislative Assembly of Washington Territory.

Resolution read a first time, and under a suspension of the rules, was read a second time and laid over, and to-morrow assigned as the time for the third reading.

Upon leave, Mr. Foster introduced—

H. J. R. No. 28—Concerning the Organic Act of the Territory of Washington.

Resolution read a first time and laid over to be printed.

Second reading of bills.

H. B. No. 106—An act to regulate the county tax of Kitsap county.

Bill read a second time, amended and laid over, and to-morrow assigned as the time for the third reading.

H. B. No. 105—An act to amend an act, entitled, an act relating to constructing and maintaining of roads.

Bill read a second time, and under suspension of the rules, was read a third time and passed, and title agreed to.

H. B. No. 104—An act to incorporate the Chehalis Steamboat Company.

Bill read a second time and laid over, and to-morrow assigned as the time for the third reading.

Mr. Henness rose to a question of privilege, and moved that a committee of three members be appointed to inquire into and investigate certain reports of the proceedings of the House that appear in the last issue of the *Pioneer and Democrat*.

Motion carried, and the chair appointed Messrs. Noyes, Short and Jackson as said committee.

H. J. R. No. 23—Relative to appointing delegates from this Territory to the Pacific Railroad Convention to assemble at Sacramento city, California, in February next.

Mr. Wood moved that the names of D. L. Bradford and James Tilton be inserted as delegates to said convention.

Carried.

Mr. Chenoweth moved to insert the name of Edward Lander.

Carried.

M. Webster moved to insert the name of W. C. Talbot.

Carried.

Mr. Miles moved to insert the name of Christopher Columbus Pagett as one of said delegates.

Upon this motion, the yeas and nays were demanded, and the following was the result:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Foster, Gile, Henness, Jackson, Judson, McCall, Miles, Shaffer, Shead, Shelton, Smith, Swindall, Weed, Willard and Mr. Speaker—18.

Those voting in the negative, were—

Messrs. Ferguson, Webster, and Wood—3.

The name was therefore inserted.

Mr. Noyes moved to insert the name of George Wilson.

Carried.

Mr. Simmons moved to lay the resolution upon the table, subject to the order of the House.

Carried.

Mr. Chenoweth moved to take the resolution from the table.

Upon this motion the yeas and nays were demanded, and the following is the vote :

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Foster, Gile, Henness, Jackson, McCall, Noyes, Short, Webster, Wood and Mr. Speaker—13.

Those voting in the negative, were—

Messrs. Judson, Knapp, Miles, Shead, Shelton, Shockley, Simmons, Smith, Swindall, Weed and Willard—11.

The vote was therefore re-considered.

Upon motion of Mr. Noyes, Mr. Shaffer was granted a leave of absence till to-morrow morning.

Upon motion of Mr. Miles, the name of F. A. Chenoweth was added to the list of delegates.

Upon motion, the name of James Longmyre was added also.

Mr. Chenoweth moved to insert the name of Henry Miles as one of said delegates.

Upon this motion Mr. Miles demanded the yeas and nays, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Foster, Gile, Judson, Knapp, McCall, Miles, Noyes, Shead, Shelton, Shockley, Short, Swindall, Webster, Willard and Wood—18.

Those voting in the negative, were—

Messrs. Henness, Jackson, Smith, Weed and Mr. Speaker—6.

The name of Henry Miles was consequently inserted.

Mr. Foster moved to insert the name of Henry Rand.

Carried.

Mr. Miles moved to insert the names of B. F. Henness, Henry Jackson, Charles Weed, J. C. Smith and J. L. Tower.

Pending which motion,

The House adjourned.

J. T. TURNER,

Chief Clerk.

TUESDAY, January 24th, 1860.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, members all present.

Journal of yesterday read and approved.

The Speaker gave notice that he would proceed to sign the following to-wit:

H. J. R. No. 16—Relative to the creation of a land office east of the Cascade mountains.

H. B. No. 45—An act to dissolve the bonds of matrimony heretofore existing between Crowell H. Sylvester and Harriet P. Sylvester.

C. J. M. No. 2—Relative to the establishment of a military road from Vancouver to Fort Simcoe.

H. B. No. 41—An act to incorporate the First Presbyterian Church of Olympia.

H. B. No. 53—An act to dissolve the bonds of matrimony between Andrew R. Keller and Elmina Keller.

H. B. No. 87—An act to dissolve the bonds of matrimony between L. M. Collins and Dinna Collins.

Mr. Simmons, from the Joint Committee on Enrolled Bills, reported as follows:

MR. SPEAKER :

The Joint Committee on Enrolled Bills have examined the following bill and have found it correctly enrolled:

H. B. No. 81—An act relating to liens of mechanics and others for labor and materials.

A. H. SIMMONS,
Chairman.

The Speaker gave notice that he would proceed to sign the following bill:

H. B. No. 81—An act relating to liens of mechanics and others for labor and materials.

Report from select committee.

Mr. Noyes, from select committee, submitted the following report:

MR. SPEAKER:

The select committee, appointed to examine the manuscript copy of legislative proceedings published in the *Pioneer and Democrat* of January 12th, would report that they have made said examination, and find the printed copy to agree with the said manuscript.

And your committee would also say that there may be, and is, a marked difference between the recorded journals of a legislative body and the proceedings of the same as reported for publication in the newspapers, inasmuch as the recording of journals is an official act, and reporting is not. And would here say, that the objectionable sentence does not appear on the journal of this House.

CHAS. J. NOYES,
Chairman.

Report received and adopted.

Message from the Council by their Clerk:—

MR. SPEAKER :

I am instructed by the Council to inform the House of the passage of the following bills, resolutions and memorials :

H. B. No. 60—An act to punish persons for enticing sailors to desert from ships.

H. J. R. No. 7—Asking Congress to donate to this Territory ten million acres of arable land, in aid of her Territorial internal improvement fund, with amendments.

H. J. R. No. 21—Relative to tendering a vote of thanks to Capt. Charles Dodd for procuring the scalp of Col. Isaac N. Ebey, with amendment.

C. B. No. 12—An act to amend an act, entitled, an act to provide for a stay of execution upon judgments in the supreme and district courts.

H. J. M. No. 18—Praying the establishment of a port of delivery at Cascade City.

H. B. No. 73—An act to legalize the acts of county commissioners of such counties as held a term of court on the 6th day of June, A. D. 1859, with amendments.

ANDREW J. MOSES,
Chief Clerk.

Upon leave, Mr. Foster introduced—

H. R. No. —Relative to the expulsion of the Hon. S. S. Woodard from a seat in the Council which he now holds and occupies in said body.

Mr. Henness asked to know if the introduction of said resolution was in order.

To which the chair gave an affirmative answer, and from which decision Mr. Tennant took an appeal.

Upon the question having been put to a vote of the House, the chair was sustained.

Upon motion, the Hon. S. S. Woodard was officially requested to appear within the bar of the House of Representatives, and to give such testimony as he may be pleased to offer.

Message from the Council by their Clerk :

MR. SPEAKER:

I am instructed by the Council to inform the House of the introduc-

tion of C. B. No. 21—Supplement to an act, entitled, an act to incorporate the Northern Pacific Railroad Company, approved January 28th, 1857.

Also, C. J. M. No. 4—Relative to the tide flats lying in front and adjacent to the town of Olympia.

Also, that the Council have passed the following, to-wit:

H. B. No. 89—An act relating to taking up saw-logs and other timber of value.

H. B. No. 70—An act relating to arbitrations.

H. B. No. 86—An act to regulate suits for divorce and alimony.

H. B. No. 84—An act relating to deeds.

H. B. No. 82—An act regulating the time within which civil actions may be commenced.

H. B. No. 85—An act to prevent fraudulent conveyances.

H. B. No. 83—An act in relation to bills of exchange and promissory notes.

Also, that the Council have concurred in House amendments to Council Substitute for H. B. No. 23—An act to authorize William J. Terry to establish a ferry across the Spokane river, in Spokane county.

ANDREW J. MOSES,

Chief Clerk.

Mr. Chapman in the chair.

Mr. Swindall moved to lay the resolution upon the table.

Upon this motion the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Gile, Henness, Jackson, McCall, Shead, Shelton, Shockley, Simmons, Smith, Swindall, Tennant, Weed, Willard and Yantis—14.

Those voting in the negative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Judson, Knapp, Miles, Noyes, Savage, Shaffer, Short, Van Valzah, Webster, Wood and Mr. Speaker—16.

The House therefore refused to lay the resolution on the table.

Mr. Tennant moved that the House do now adjourn.

Lost.

Mr. Wood moved that the resolution be referred to a select committee of three.

Upon which motion the ayes and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Chapman, Chenoweth, Ferguson, Foster, Judson, Knapp, Miles, Noyes, Savage, Shaffer, Shockley, Short, Van Valzah, Webster, Wood and Mr. Speaker—16.

Those voting in the negative, were—

Messrs. Brownfield, Gile, Henness, Jackson, McCall, Shead, Shelton, Simmons, Smith, Swindall, Tennant, Weed, Willard and Yantis—14.

The motion carried, and the chair appointed Messrs. Wood, Short and Miles said committee.

Mr. Simmons moved that the committee be instructed to report on the 4th day of January, 1861.

Pending which motion,

Mr. Chenoweth moved to amend by instructing the committee to report at the next sitting of this House.

Carried, and the committee were so instructed.

Mr. Speaker in the chair.

Mr. Webster moved that when this House adjourn, that it adjourn to meet again at 2 o'clock, P. M.

Mr. Tennant moved to amend by inserting "that when this House adjourn, it stand adjourned till Thursday morning at 10 o'clock, A. M."

Amendment carried.

Mr. Miles moved a re-consideration of the vote whereby the House had consented to adjourn as above stated.

Carried, and the House re-considered said vote.

Mr. Webster now moved that when the House adjourn, that it adjourn to meet again at 2 P. M.

Upon this motion the ayes and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Judson, Knapp, Miles, Noyes, Savage, Shaffer, Shead, Short, Van Valzah, Webster, Wood and Mr. Speaker—18.

Those voting in the negative, were—

Messrs. Henness, Jackson, McCall, Shelton, Simmons, Smith, Swindall, Tennant, Weed, Willard and Yantis—11.

The motion therefore carried.

On motion of Mr. Van Valzah,

The House adjourned till 2 o'clock, P. M., of to-day.

AFTERNOON SESSION.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Members all present at the calling of the roll.

Second reading of bills.

H. B. No. 107—An act to punish seamen for deserting ships in the waters of Puget Sound.

Bill read a second time and laid over, and

On motion of Mr. Webster,

To-morrow was assigned as the time for the third reading.

Upon leave, Mr. Wood submitted the following report—

MR. SPEAKER :

The select committee, to whom was referred House Resolution relative to the Hon. S. S. Woodard holding a seat in the Council, have had the same under consideration, and have instructed me to report a substitute back to the House, and recommend its passage.

WM. H. WOOD,

Chairman.

Report received and adopted, and the substitute read.

Mr. Swindall moved to indefinitely postpone the resolution.

Upon this motion the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Gile, Henness, Jackson, Knapp, McCall, Shead, Shelton, Shockley, Simmons, Smith, Swindall, Tennant, Weed, Willard and Yantis—15.

Those voting in the negative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Judson, Miles, Noyes, Savage Shaffer, Short, Van Valzah, Webster, Wood and Mr. Speaker—15.

The House therefore refused to indefinitely postpone the resolution.

Mr. Knapp offered the following amendment to the resolution:

WHEREAS, Certain information has come before this House, going to show that the Hon. S. S. Woodard is not entitled to a seat in the Council.

Therefore be it resolved, That the Council be requested to inquire into the facts, and if it is found that he is not entitled to his seat, that they expel the said Hon. S. S. Woodard from his seat in that body.

Amendment received and adopted.

The question being, “shall the resolution pass?” the yeas and nays were demanded and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Judson, Knapp, Miles, Noyes, Savage, Shaffer, Shockley, Short, Smith, Van Valzah, Webster, Wood and Mr. Speaker—19.

Those voting in the negative, were—

Messrs. Henness, Jackson, McCall, Shead, Shelton, Simmons, Swindall, Tennant, Weed, Willard and Yantis—11.

The resolution therefor passed as amended.

Substitute to H. B. No. 69—An act to empower county commissioners to fix the amount of license for the sale of intoxicating liquors.

Bill read a second time, and

On motion of Mr. Weed,

Was laid over, and to-morrow assigned as the time for the third reading.

H. J. R. No. 22—Concerning the register and receiver's office of United States lands in Washington Territory.

Mr. Knapp offered certain amendments to the resolution,

Which were received and adopted.

On motion of Mr. Miles,

The resolution and amendments were referred to the Committee on Judiciary.

H. B. No. 95—An act relative to increase of county revenue.

Bill read a second time.

Mr. Webster moved to refer the bill to a select committee of three members.

Carried.

The chair appointed Messrs. Webster, Miles and Shockley said committee.

H. J. R. No. 23—Relative to appointing delegates to attend the Pacific Railroad Convention to assemble at Sacramento City, California, in February next.

This resolution was under consideration at the time of the adjournment of the House on yesterday, when a question was pending to insert certain names as delegates to said convention, to which names Mr. Henness moved to add as an amendment, after the last name, the following: "And one hundred others, citizens of Washington Territory."

Lost.

Mr. Henness moved to strike out the name of B. L. Henness.

Pending which motion,

The House adjourned.

J. T. TURNER,
Chief Clerk.

WEDNESDAY, January 25th, 1860.

House met pursuant to adjournment.

Mr. Speaker in the Chair.

Upon calling the roll, all members present.

Journal of yesterday read and approved.

Message from the Council by their Clerk :

MR. SPEAKER :

I am directed to request of the House an engrossed copy of Council substitute for H. B. No. 20—An act entitled, the apportionment of Washington Territory, as amended and passed by the House, together with the original substitute.

A. J. MOSES.

Chief Clerk.

Upon leave, Mr. Willard introduced—

H. B. No. 109—An act to dissolve the bonds of matrimony existing between Samuel Wilson and Estha Wilson.

Bill read a first time, and

Under a suspension of the rules, read a second time, and referred to the committee on Judiciary.

The above bill was accompanied by a petition from the applicant, Mrs. Estha Wilson, which was also referred to the committee on Judiciary.

Upon leave, Mr. Van Valzah introduced—

H. M. No. 21—Relative to compensation to Dr. Samuel McCurdy, for services rendered as Surgeon of the U. S. Marine Hospital, at Port Townsend, W. T.

Memorial read three several times, under a suspension of the rules, and passed.

Reports from standing committees.

Mr. Webster submitted a report from the committee on Elections, which was laid upon the table.

Mr. Simmons presented a report from the committee on Corporations, which was laid on the table.

Mr. Webster submitted a report, also, from a select committee, which was laid upon the table.

Upon request, Mr. Shead from select committee on H. B. No. 90, was given further time to report.

Message from the Council by their Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of the passage of the following, viz:

H. B. No. 101—An act to prevent the sale of intoxicating liquors to Kanakas.

H. B. No. 99—An act relating to gaming and gaming contracts.

H. B. No. 100—An act to prevent the sale of intoxicating liquors to Indians.

H. B. No. 28—An act to establish a common school system for Washington Territory, with amendments.

H. B. No. 103—An act to protect the salmon fisheries on Chenook beach, Pacific county.

Also of the introduction of—

C. B. No. 22—An act to dissolve the bonds of matrimony existing between Francis McNatt and Mary Ann McNatt.

C. B. No. 23—An act to dissolve the bonds of matrimony existing between Thos. Tallentire and Agnes M. Tallentire.

ANDREW J. MOSES,

Chief Clerk.

Upon leave, Mr. Ferguson introduced—

H. B. No. 110—An act to amend an act entitled an act conferring jurisdiction upon the district court of the county of Walla Walla.

Bill read a first time.

Upon motion of Mr. Wood,

Bill read a second time, and

Under a suspension of the rules, bill read a third time, passed and title approved.

Upon leave, Mr. Gile introduced—

H. B. No. 111—An act to incorporate the Wallacut Portage Railroad Company.

Bill read a first time.

Mr. Miles moved a suspension of the rules, and that the bill be read a second time now.

Carried.

Bill read a second time, and

Upon motion of Mr. Chenoweth,

Was referred to the Committee on Corporations.

Upon leave, Mr. Jackson introduced—

H. B. No. 112—An act to amend an act changing the time of holding the county commissioners court.

Bill read a first time, and ordered to be printed.

Mr. Shaffer in the chair.

Upon leave, Mr. Biles introduced—

H. B. No. 113—An act in relation to prosecuting attorneys.

Bill read a first time and referred to the Committee on Judiciary.

On motion of Mr. Chenoweth,

The Clerk was instructed to inform the Council that the House is now ready to meet that body in Joint Convention, for the purpose of electing territorial officers.

Mr. Shaffer moved that the House take a recess of ten minutes.

Carried.

The Honorable Council having assembled in the hall of the House of Representatives, the respective bodies resolved themselves into a Joint Convention, in pursuance of a joint resolution, passed January 7th, 1860, providing for the election of certain territorial officers.

Hon. H. J. G. Maxon, President of the Council, in the chair.

Convention called to order.

Mr. Clark moved to proceed to the election of officers by *viva voce*.

Carried.

The election of territorial printer being first in order,

Mr. Tennant put in nomination the name of Edward Furste for said office.

Mr. Caples put in nomination the name of Lloyd Brooks.

Upon a vote being taken, the result was as follows:

OF THE COUNCIL:

	<i>E. Furste.</i>	<i>L. Brook.</i>
Biles.....	1	
Burbank.....	1	
Caples.....		1
Clarke.....		1
Denny.....		1
Miller.....	1	
Phillips.....	1	
Woodard.....	1	
Mr. President.....	1	
	<hr/> 6	<hr/> 3

OF THE HOUSE OF REPRESENTATIVES:

	<i>E. Furste.</i>	<i>L. Brook.</i>
Brownfield.....		1
Chapman.....		1
Chenoweth.....		1
Ferguson.....		1
Foster.....		1
Gile.....	1	
Henness.....	1	
Jackson.....	1	
Judson.....		1
Knapp.....		1
McCall.....	1	
Miles.....		1
Noyes.....		1
Savage.....		1
Shaffer.....		1
Shead.....	1	
Shelton.....	1	
Shockley.....	1	
Short.....		1
Simmons.....	1	
Smith.....	1	
Swindall.....	1	
Tennant.....	1	
Van Valzah.....		1
Webster.....		1

	<i>E. Furste.</i>	<i>L. Brook.</i>
Weed.....	1	
Willard	1	
Wood.....		1
Yantis.....	1	
Mr. Speaker.....		1
	<hr/>	<hr/>
	14	16
	<hr/>	<hr/>
Total.....	20	19

Edward Eurste having received a majority of all the votes cast, was declared duly elected public printer.

Territorial auditor and librarian.

Mr. Ferguson put in nomination the name of J. C. Head.

Mr. Shead put in nomination the name of A. J. Moses. (Name withdrawn.)

Upon a vote being taken, the following was the result:

OF THE COUNCIL.

	<i>J. C. Head.</i>	<i>Moses.</i>	<i>Jackson.</i>	<i>Miles.</i>	<i>Burbank.</i>
Biles.....	1				
Burbank	1				
Caples.....	1				
Clark.....	1				
Denny.....	1				
Miller.....		1			
Phillips	1				
Woodard.....	1				
Mr. President.....			1		
	<hr/>	<hr/>	<hr/>		<hr/>
	7	1	1		

OF THE HOUSE OF REPRESENTATIVES:

	<i>J. C. Head.</i>	<i>Moses.</i>	<i>Jackson</i>	<i>Miles.</i>	<i>Burbank.</i>
Brownfield.....	1				
Chapman.....	1				
Chenoweth	1				
Ferguson.....			1		
Foster.....	1				

J. C. Head. Moses. Jackson. Miles. Burbank.

Gile.....	1				
Hennes.....	1				
Jackson.....	1				
Judson.....	1				
Knapp.....	1				
McCall.....	1				
Miles.....		1			
Noyes	1				
Savage.....	1				
Shaffer.....	1				
Shead.....			1		
Shelton.. ..	1				
Shockley.....	1				
Short.....	1				
Simmons.....			1		
Smith.....			1		
Swindall.....			1		
Tennant	1				
Van Valzah.....	1				
Webster.....				1	
Weed	1				
Willard.....	1				
Wood.....					1
Yantis.....				1	
Mr. Speaker.....	1				
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	21	1	5	2	1
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total.....	28	2	6	2	1

Whole number of votes cast, 39.

Necessary to a choice, 20.

J. C. Head having received a majority of all the votes cast, was declared duly elected Territorial Auditor and Librarian.

The election of Territorial Treasurer being next in order:

Mr. Swindall put in nomination the name of D. L. Phillips for said office.

Mr. Miles put in nomination the name of Capt. Swindall.

Mr. Wood put in nomination the name of William W. Miller.

Upon a vote being had, the following was the result:

OF THE COUNCIL:

	<i>D. L. Phillips.</i>	<i>Swindall.</i>	<i>Denny.</i>
Biles	1		
Burbank	1		
Caples	1		
Clark	1		
Denny	1		
Miller	1		
Phillips	1		
Woodard	1		
Mr. President	1		
	<hr/> 9	<hr/>	<hr/>

OF THE HOUSE OF REPRESENTATIVES:

	<i>D. L. Phillips.</i>	<i>Swindall.</i>	<i>Denny.</i>
Brownfield	1		
Chapman	1		
Chenoweth	1		
Ferguson	1		
Foster	1		
Gile	1		
Henness	1		
Jackson	1		
Judson	1		
Knapp	1		
McCall	1		
Miles	1		
Noyes		1	
Savage	1		
Shaffer	1		
Shead	1		
Shelton	1		
Shockley	1		
Short	1		
Simmons	1		
Smith	1		
Swindall	1		
Tennant	1		
Van Valzah	1		

	<i>D. L. Phillips.</i>	<i>Swindall.</i>	<i>Denny.</i>
Webster.....			1
Weed.....	1		
Willard.....	1		
Wood.....	1		
Yantis.....	1		
Mr. Speaker.....	1		
	—	—	—
	28	1	1
	—	—	—
Total.....	37	1	1

Whole number of votes cast, 39.

Necessary to a choice, 20.

D. L. Phillips having received a majority of all the votes cast, was declared duly elected Territorial Treasurer.

The election of the first Capitol Commissioner being next in order:

Mr. Wood put in nomination the name of P. Ahern for said office.

Mr. Simmons put in nomination the name of Lloyd Brook.

Mr. Biles put in nomination the name of Benj. Harned.

Upon a vote being had, the result was as follows:

OF THE COUNCIL:

	<i>Ahern.</i>	<i>Brook.</i>	<i>Harned.</i>
Biles.....	1		
Burbank.....	1		
Caples.....	1		
Clark.....	1		
Denny.....	1		
Miller.....	1		
Phillips.....	1		
Woodard.....	1		
Mr. President.....	1		
	—	—	—
	9		

OF THE HOUSE OF REPRESENTATIVES.

	<i>Ahern.</i>	<i>Brook.</i>	<i>Harned.</i>
Brownfield.....	1		
Chapman.....	1		
Chenoweth.....	1		
Ferguson.....	1		
Foster.....	1		
Gile.....	1		
Henness.....	1		
Jackson.....	1		
Judson.....	1		
Knapp.....	1		
McCall.....	1		
Miles.....	1		
Noyes.....	1		
Savage.....	1		
Shaffer.....	1		
Shead.....	1		
Shelton.....	1		
Shockley.....	1		
Short.....	1		
Simmons.....	1		
Smith.....	1		
Swindall.....	1		
Tennant.....	1		
Van Valzah.....	1		
Webster.....	1		
Weed.....	1		
Willard.....	1		
Wood.....	1		
Yantis.....	1		
Mr. Speaker.....	1		
	<hr/>		
	30		
	<hr/>		
Total.....	39	<hr/>	<hr/>

Whole number of votes cast, 39.
Necessary to a choice, 20.

P. Ahern having received all the votes cast, was declared unanimously elected one the Capitol Commissioners for Washington Territory.
The election of a second Capitol Commissioner being next in order:

Mr. Biles put in nomination the name of Benj. Harned.

Mr. Chenoweth put in nomination the name of George Gallagher.

Upon a vote being had, the following was the result:

OF THE COUNCIL:

	<i>Geo. Gallagher.</i>	<i>B. Harned.</i>
Biles.....		1
Burbank.....		1
Caples.....	1	
Clark.....	1	
Denny.....	1	
Miller.....		
Phillips.....		1
Woodard.....		1
Mr. President.....		1
	<hr/> 3	<hr/> 4

OF THE HOUSE OF REPRESENTATIVES:

	<i>Geo. Gallagher.</i>	<i>B. Harned.</i>
Brownfield	1	
Chapman.....	1	
Chenoweth.....	1	
Ferguson.....	1	
Foster.....	1	
Gile.....	1	
Hennes.....		1
Jackson.....		1
Judson.....	1	
Knapp.....	1	
McCall.....		1
Miles.....	1	
Noyes.....	1	
Savage.....	1	
Shaffer.....	1	
Shead.....		1
Shelton.....		1
Shockley.....	1	
Short.....	1	
For mons.....		1

	<i>Geo. Gallagher.</i>	<i>B. Harned.</i>
Smith.....	1	
Swindall.....		1
Tennant.....		1
Van Valzah.....	1	
Webster.....	1	
Weed.....		1
Willard.....		1
Wood.....	1	
Yantis.....		1
Mr. Speaker.....	1	
	<hr/>	<hr/>
	19	11
	<hr/>	<hr/>
• Total.....	22	17

Whole number of votes cast, 39.

Necessary to a choice, 20.

Geo. Gallagher having received a majority of all the votes cast, was declared duly elected as one of the Capitol Commissioners for Washington Territory.

The election of the third Capitol Commissioner being next in order:

Mr. Clark put in nomination the name of E. S. Fowler for said office.

Mr. Swindall put in nomination the name of Benj. Harned.

Mr. Tennant put in nomination the name of R. M. Walker.

Upon a vote being had, the following was the result:

OF THE COUNCIL:

	<i>Fowler.</i>	<i>Harned.</i>	<i>Walker.</i>
Biles.....	1		
Burbank.....	1		
Caples.....	1		
Clark.....	1		
Denny.....	1		
Miller.....			1
Phillips.....	1		
Woodard.....			1
Mr. President.....	1		
	<hr/>	<hr/>	<hr/>
	7		2

OF THE HOUSE OF REPRESENTATIVES:

	<i>Fowler.</i>	<i>Harned.</i>	<i>Walker.</i>
Brownfield.....	1		
Chapman.....	1		
Chenoweth.....	1		
Ferguson.....	1		
Foster.....	1		
Gile.....	1		
Hennes.....			1
Jackson.....			1
Judson.....	1		
Knapp.....	1		
McCall.....			1
Miles.....	1		
Noyes.....	1		
Savage.....	1		
Shaffer.....	1		
Shed.....			1
Shelton.....			1
Shockley.....	1		
Short.....	1		
Simmons.....	1		
Smith.....	1		
Swindall.....		1	
Tennant.....			1
Van Valzah.....	1		
Webster.....	1		
Weed.....			1
Willard.....			1
Wood.....	1		
Yantis.....			1
Mr. Speaker.....	1		
	<hr/>	<hr/>	<hr/>
	20	1	9
	<hr/>	<hr/>	<hr/>
Total.....	27	1	11

Whole number of votes cast, 39.

Necessary to a choice, 20.

E. S. Fowler having received a majority of all the votes cast, was declared duly elected as one the Capitol Commissioners for Washington Territory.

The President then announced that the business for which the joint convention had assembled was consummated, whereupon the members of the Council withdrew to their Chamber.

When, upon motion of Mr. Tennant,

The House adjourned.

J. T. TURNER,
Chief Clerk.

THURSDAY, January 26th, 1860.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, members all present.

Journal of yesterday read and approved.

Upon leave, Mr. Ferguson introduced—

H. B. No. 114—An act to dissolve the bonds of matrimony existing between Angeline Lindner and F. Lindner.

Bill read a first time, and under a suspension of the rules, was read a second and third times.

The question being, "shall the bill pass?"

The yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Foster, Gile, Jackson, Judson, McCall, Miles, Noyes, Savage, Short, Smith, Tennant, Webster, Weed and Mr. Speaker—18.

Those voting in the negative, were—

Messrs. Henness and Shead—2.

The bill therefore passed and title approved.

The Clerk was instructed to report the passage thereof forthwith to the Council.

Upon leave, Mr. Jackson introduced—

H. B. No. 115—An act to amend an act entitled an act relating to weights and measures.

Bill read a first time.

Rules suspended and bill read a second time.

Mr. Knapp moved to strike out 50 lbs. for a bushel of timothy seed, and insert 30.

Mr. Wood moved to refer the bill to the committee on Judiciary.
Lost.

Mr. Tennant moved to strike out 30 and insert 35.
Pending which motion,

Mr. Shead moved to amend the amendment, by inserting 40 lbs.
Carried.

Mr. Wood moved to refer the bill to the committee on Agriculture.
Motion lost.

Upon motion of Mr. Ferguson,

Under a suspension of the rules, bill read a third time and passed, and title approved.

Upon leave, Mr. Brownfield introduced—

H. J. R. No. 29—Relative to an amendment of the donation law.

Resolution read three several times, under a suspension of the rules, and passed.

Upon leave, Mr. Chenoweth introduced—

H. J. R. No. 30—Asking the Secretary to pay Butler P. Anderson for compiling the laws of Washington Territory.

Resolution read a first time, and under a suspension of the rules, read a second and third times and passed.

Message from the Council by their Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of the passage of the following, viz:

C. B. No. 17—An act to incorporate the Puget Sound Woolen Manufacturing Company.

H. B. No. 24—An act to authorize A. Jacobs to establish a bridge across the Touchet river in Walla Walla county, with amendments.

H. B. No. 54—An act to establish a ferry between Whidby's Island and Port Townsend, with an amendment.

C. J. M. No. 3—Relative to the war debt of Washington Territory and State of Oregon.

Also, C. J. M. No. 4—Relative to the tide flats lying in front and adjacent to the town of Olympia.

H. J. M. No. 19—Relative to a semi-weekly mail service upon Puget Sound.

H. B. No. 102—An act regulating the measurement of oysters in Shoalwater Bay, Pacific county.

C. B. No. 22—An act to dissolve the bonds of matrimony existing between Francis McNatt and Mary Ann McNatt.

C. B. No. 23—An act to dissolve the bonds of matrimony existing between Thos. Tallentire and Agnes M. Tallentire.

H. B. No. 32—An act to define the boundary lines of Chehalis county.

H. B. No. 76—An act to incorporate the Puget Sound University.

Also, that the Council have refused to take action upon—

H. R. No. —Relative to the expulsion of the Hon. S. S. Woodward from a seat in the Council which he now holds and occupies in said body.

And that the President has signed the following:

H. B. No. 45—An act to dissolve the bonds of matrimony heretofore existing between Crowell H. Sylvester and Harriet P. Sylvester.

H. B. No. 41—An act to incorporate the First Presbyterian Church of Olympia.

H. B. No. 53—An act to dissolve the bonds of matrimony heretofore existing between A. R. Keller and Almina Keller.

H. B. No. 87—An act to dissolve the bonds of matrimony existing between L. M. Collins and Dinna Collins.

H. B. No. 81—An act relating to liens of mechanics and others for labor and materials.

H. J. R. No. 16—Praying Congress to create an additional land office in and for Washington Territory.

C. J. M. No. 2—Relative to the establishment of a military road from Vancouver to Fort Simcoe.

ANDREW J. MOSES,
Chief Clerk.

Mr. Chenoweth, from the committee on Judiciary, upon leave, submitted the following report:

MR. SPEAKER :

The committee on Judiciary to whom was referred H. B. No. 113—An act in relation to Prosecuting Attorneys, have had the same under consideration, and the bill is herewith returned, with certain amendments, and recommend its passage.

F. A. CHENOWETH,
Chairman.

Report received and adopted.

Bill read a second time, and

Under a suspension of the rules, bill read a third time.

The question being, "shall the bill pass?"

The yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chenoweth, Foster, Gile, Henness, Jackson, Judson, McCall, Miles, Noyes, Savage, Shaffer, Shead, Shelton, Shockley, Simmons, Swindall, Tennant, Van Valzah, Webster, Weed, Willard, Yantis and Mr. Speaker—24.

Those voting in the negative, were—

Messrs. Chapman and Wood—2.

The bill therefore passed and title approved.

Mr. Chapman gave notice that on to-morrow, he would introduce a resolution inquiring into the extent that bribery has been resorted to, for the purpose of controlling the election of Territorial Printer and other officers, of the late election by the Legislature.

Message from the Council by their Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House that the Council have passed the following bills:

H. B. No. 96—An act to dissolve the bonds of matrimony existing between Amos B. Pierce and Elizabeth Pierce.

H. B. No. 78—An act to authorize William D. Vaughn to establish a ferry or ferries across White river, in Pierce county, with an amendment.

Also, that the Council have indefinitely postponed—

H. B. No. 29—An act authorizing William Packwood to establish a bridge or ferry across the Nisqually river.

ANDREW J. MOSES,
Chief Clerk.

Mr. Chapman moved that when the House adjourn, that it adjourn to meet at 2 o'clock, P. M.

Carried.

Second reading of bills.

H. J. R. No. 23—Relative to appointing delegates from this Territory to the Pacific Railroad Convention to assemble at Sacramento city, California, in February next.

On motion of Mr. Webster,

Resolution read a second time and laid over, and to-morrow assigned as the time for the third reading.

H. B. No. 93—An act for the temporary establishment of the county seat of Chehalis county.

Bill read a second time, and laid over, and to-morrow assigned as the time for the third reading.

H. B. No. 92—An act amendatory to an act, entitled an act to amend an act to incorporate the city of Vancouver.

Read second time.

Mr. Knapp moved to amend the bill by adding an additional Section, (No. 3), to the bill.

Carried.

On motion, the rules were suspended, and

Bill read a third time and passed, and title approved.

H. J. R. No. 26—Relative to the introduction of new legislative matter after January 28th inst.

Was read a second time, and under a suspension of the rules, was read a third time and passed.

The Clerk was instructed to report the passage thereof, forthwith to the Council.

Upon motion of Mr. Wood,

H. B. No. 78—An act to authorize William D. Vaughn, to establish a ferry or ferries across White river, in Pierce county.

Was now taken up and read as amended by the Council, and the amendments concurred in.

Third reading of bills.

H. B. No. 106—An act to regulate the county tax of Kitsap county.

Bill read a third time and passed, and title agreed to.

H. J. R. No. 27—Concerning extra pay for the members, attaches, or officers of the Legislative Assembly of Washington Territory.

Resolution read a third time and passed.

Substitute to H. B. No. 69—An act to empower county commissioners to fix the amount of license for the sale of intoxicating liquors.

Mr. Henness moved to amend the bill by inserting 500 in lieu of 300.

Carried.

Bill read a third time, and the question being, "shall the bill pass?"

The yeas and nays were demanded, and the vote stood 15 in favor to 13 against.

Bill passed and title approved.

Upon motion of Mr. Noyes,

The House adjourned till 2 o'clock, p. m., of to-day.

AFTERNOON SESSION.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Members all present at the calling of the roll, except Messrs. Ferguson and Van Valzah.

Third reading of bills, continued.

H. B. No. 107—An act to punish seamen for deserting ships in the waters of Puget Sound.

Bill read a third time, and passed and title agreed to.

H. B. No. 104—An act to incorporate the Chehalis Steamboat Navigation Company.

Bill read a third time and passed, and title approved.

H. B. No. 98—An act relating to justices of the peace and constables, and the practice before justices of the peace.

Bill read a third time and passed, and title approved.

Business on the table.

Mr. Simmons, from the Committee on Corporations, submitted the following report:

MR. SPEAKER:

The committee on Corporations, to whom was referred the petition of the citizens of Chehalis county, have had the same under consideration, and have instructed me to report the accompanying bill, and recommend its passage.

A. H. SIMMONS,
Chairman.

Report received and laid on the table.

H. B. No. 116—An act to authorize J. L. Scammons to establish a ferry across the Chehalis river.

Bill read a first time, and under a suspension of the rules, was read a second and third times, passed and title approved.

H. B. No. 95—An act relative to increase of county revenue.

Was taken from the table, and the amendments offered by select committee were read and adopted.

The bill read a third time, passed and title approved.

H. B. No. 72--An act regulating elections, and prescribing the mode of supplying vacancies.

The above bill had been referred to the committee on Elections, who made the following report:

MR. SPEAKER:

The committee on Elections, to whom was referred H. B. No. 72, have had the same under consideration, and have directed me to report the same back with the following amendments:

In Sec. 1, line 2, insert "male," between the words "white American."

To Sec. 3, add the following:

"At the next annual election, and every general election thereafter, there shall be elected in each territorial court district, one person to act as clerk for said court. And in each election precinct there shall be three persons elected, having the qualifications of electors, who shall act as judges of election. All the above officers shall receive the same pay from the same source and be governed by the same laws as heretofore, except as in this law provided. All the above officers shall hold their offices one year, and until their successors are duly elected and qualified.

In Sec. 4, line 8, strike out the words "if there are present."

In Sec. 11, strike out all after the word "election," in 3rd line, and insert:

"There shall be provided and kept by the judges of each election precinct, (at the expense of the county,) a suitable ballot box, with lock and key. There shall be an opening through the lid of such box of no larger size than just sufficient to admit of a single folded ballot. Before opening the polls, the box shall be carefully examined by the judges of the election that nothing may remain therein, it then shall be locked and the key delivered to one of the judges, to be designated by the board, and it shall not again be opened until the final closing of the polls.

In Sec. 12, strike out all of the first part of the Section, until in the 3rd line, the word "any," and insert:

"Every elector shall, in full view, deliver to one of the judges of the election, a single ballot or piece of paper, on which shall be printed or written the names of the persons voted for, with a pertinent designation of the office which he or they may be intended to fill. Said ballot may be open or folded, as the voter may choose. The judge to whom any ticket is delivered, shall, upon the receipt thereof, pronounce with an audi-

ble voice the name of the elector. And if no objection be made to him, and the judges be satisfied that the elector is legally entitled to vote, he shall immediately put the ticket into the box, without inspecting the names thereon, and the clerks of the election shall enter the name of the elector and number in the poll book; and said clerk shall number each ballot with the same number of the elector.

Strike out all of Section 15, and insert:—

At each adjournment of the polls, the clerks shall, in the presence of the judges, compare their respective poll lists, compute and set down the number of votes, and correct all mistakes that may be discovered according to the decision of the judges, until such poll lists shall be made, in all respects, to correspond. One of the judges shall put on a covering, with a seal placed on the opening of the lid of such box, so as to entirely cover the same, and one of the judges shall keep the ballot box in his possession, and the clerks shall return the poll books in their possession. And the judge having the box shall carefully keep it, without opening it, or suffering it to be opened, or the seal thereof to be broken or removed, and shall publicly, in that condition, deliver to the board of judges, at the next opening of the polls, when the seal shall be broken and the opening in the lid cleared.

Strike out Section 18, and insert:—

The canvass shall commence by a comparison of the poll lists from the commencement, and the clerks shall correct any mistake that may be found therein until they shall be found or made to agree. The box shall then be opened and the ballots contained therein taken out and counted by the judges, unopened except as far as to ascertain whether each ballot is single; and if two or more ballots shall be found so folded together as to present the appearance of a single ballot, they shall be laid aside until the count of the ballots is completed. And if, on the comparison of the count with the poll lists and the appearance of such ballots, a majority of the judges shall be of the opinion that the ballots thus folded together was voted by one person, they shall be rejected. If the ballots in the box shall be found to exceed in number the whole number of votes on the poll lists, they shall all be replaced in the box, after being purged as above, and one of the judges shall publicly draw out and destroy therefrom so many ballots unopened as shall be equal to such excess. The ballots and poll lists agreeing, or being made to agree, the board shall then proceed to count and ascertain the number of votes cast, and the clerk shall set down in their poll books the name of every person voted for, written at full length, the office for which such person received such votes,

and the number he did receive; such entry to be made as nearly as circumstances will admit, in the following form, to-wit:

To Section 31 add the following:—

In counting votes, the judges of election shall disregard misspelling and abbreviations of the names of candidates for office, if it can be ascertained from such votes for whom they were intended.

JOHN WEBSTER,
Chairman.

Report received and amendments adopted.

Bill read a third time, passed and title approved.

H. B. No. 91—An act to define the boundary lines of Clalm county.
Bill laid over, subject to the order of the House.

H. B. No. 79—An act to locate a territorial road from Steilacoom, in Pierce county, to Yelm prairie in Thurston county,

Was taken up and the amendments offered by the committee were adopted.

Bill read a third time, passed and title approved.

H. J. R. No. 8—Concerning the immediate payment of the Indian war debt.

Resolution read a third time, and in accordance with the report of the committee on Memorials, was indefinitely postponed.

H. B. No. 58—A bill for an act to incorporate Finback-Chucklehead-Watson-family Dashaway Division No. 1, was

Upon motion of Mr. McCall,

Indefinitely postponed.

H. B. No. 55—An act to create Mason county.

Mr. Miles moved that the bill be indefinitely postponed.

Carried.

H. B. No. 25—An act authorizing William Packwood to establish a wagon road near the Nisqually river,

Was taken up, and the report of the committee thereon read and adopted.

Mr. Wood moved to indefinitely postpone the bill.

Pending which motion,

Mr. Weed moved to lay the bill on the table, subject to the order of the House.

Carried.

Upon leave, Mr. Henness introduced—

H. B. No. 117—An act to protect public and private bridges.

Bill read three several times, under a suspension of the rules, and passed and title approved.

Upon leave, Mr. Judson introduced—

H. B. No. 118—An act to define the north line of Lewis county.

Bill read a first time and laid over to be printed.

Upon leave, Mr. Wood introduced—

H. J. R. No. 31—Legalizing the acts of the board of county commissioners of Pierce county.

Resolution read three several times, under a suspension of the rules, and passed.

Upon leave, Mr. Swindall introduced—

H. B. No. 119—An act to provide for the payment of prosecuting attorney's for his services in the supreme court.

Bill read a first time and laid over to be printed.

Substitute for H. B. No. 88—An act to authorize the people of the Territory of Washington to express by their votes at the next general election where they desire that the Capitol of Washington Territory shall be permanently located.

Bill read a first time.

Mr. Yantis submitted the following minority report upon said bill:

MR. SPEAKER:

The undersigned, a member of the House committee on Elections, begs leave to present the following minority report:

I object to a reference of the Capitol question to a vote of the people at the ensuing election—

First:—Because the people, or voters of the Territory have not asked that the subject be referred to them.

Second:—Because a reference to the voters would prolong the settlement of the question, perhaps to an unending termination, and consequently cause an unnecessary delay in the erection of the Capitol buildings.

Third:—I oppose such a reference, because I believe Olympia to be the proper place for the Capital, both as regards population and ease of access, as well as geographical position.

A. S. YANTIS.

Report received and laid on the table.

Mr. Brownfield moved a suspension of the rules, and to assign now as the time for the third reading.

Lost.

The bill was laid over on its second reading and ordered printed.

Business from the Council.

C. B. No. 12—An act to amend an act, entitled, an act to provide for a stay of execution upon judgments in the supreme and district courts.

Bill taken up and read a first time.

Rules suspended, and bill read a second time, and

On motion of Mr. Jackson,

Was referred to the Committee on Judiciary.

H. B. No. 73—An act to legalize the acts of county commissioners of such counties as held a term of court on the 6th day of June, A. D. 1859.

Was taken up, and the amendments of the Council were concurred in.

H. J. R. No. 7—Asking Congress to donate to this Territory ten million acres of arable land, in aid of her Territorial internal improvement fund,

Was read as amended by the Council, and the amendments were concurred in.

C. B. No. 23—An act to dissolve the bonds of matrimony existing between Thos. Tallentire and Agnes M. Tallentire.

Bill read three several times, under a suspension of the rules, passed and title approved.

Mr. Chapman moved to adjourn.

Lost.

Mr. Henness moved a call of the House.

Lost.

H. B. No. 26—An act to provide for the location and selection of lands reserved for University purposes, and appoint a board of commissioners,

Was taken up and read as amended by the Council and the amendments concurred in.

H. B. No. 28—An act to establish a common school system for the Territory of Washington,

Was taken up and read as amended by the Council and the amendments concurred in.

H. B. No. 40—An act to create and organize the county of Spokane,

Was taken up and read as amended by the Council and amendments concurred in.

H. B. No. 24—An act authorizing A. Jacobs to establish a bridge across the Touchet river, in Walla Walla county,

Was taken up and read as amended by the Council and amendments concurred in.

Upon motion of Mr. Brownfield,

The House adjourned.

J. T. TURNER,
Chief Clerk.

FRIDAY, January 27th, 1860.

Council met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, all the members were found to be present except Mr. Shaffer.

Journal of yesterday read and approved.

Message from the Council :

MR. SPEAKER:

I am instructed by the Council to inform the House of the passage of the following, to wit:

C. B. No. 20—An act to incorporate the Olympia Wharf Company.

Also, that the Council have asked for a committee of conference, consisting of two on the part of the Council, and three on the part of the House, on

Council substitute for H. B. No. 20—An act entitled, the apportionment for Washington Territory,

And that Messrs. Biles and Denny have been appointed said committee on the part of the Council.

Also, that the Council have passed the following bills:

H. B. No. 71—An act for the suppression of houses of ill-fame.

H. B. No. 114—An act to dissolve the bonds of matrimony between Francis Lindner and Angeline Lindner.

A. J. MOSES,
Chief Clerk.

Mr. Webster moved that the rules be now suspended, and that the House take into consideration the message from the Council, relative to a Committee of Conference on

H. B. No. 20—An act concerning the apportionment for Washington Territory.

Carried.

And the chair, in accordance with the request of the Council, appointed Messrs. Tennant, Van Valzah, and Short, as said Committee on Conference on the part of the House.

Upon leave, Mr. McCall introduced—

H. B. No. 120—An act to amend an act to prevent stud-horses, &c., from running at large.

Read a first time, and laid over.

H. J. R. No. 23—Relative to appointing delegates to attend the Pacific Railroad Convention to assemble at Sacramento City, Cal., in February next,

Was taken up on its second reading.

Mr. Tennant introduced the following instructions, to be given the delegates that may attend said Convention:

Resolved, That our delegates to the Sacramento Railroad Convention be, and they are hereby, instructed to demand of the Convention that the

Northern Route be placed on the same footing as the Central or Southern Route; and in case this is not done to withdraw from the Convention.

Mr. Simmons offered the following amendment:

Resolved, That we ignore the action of self-styled delegates to the San Francisco Convention last year.

The question being upon the adoption of the amendment, the yeas and nays were demanded, and the following is the vote:

Those who voted in the affirmative were:

Messrs. Chapman, Henness, Jackson, Knapp, McCall, Miles, Shelton, Shockley, Short, Simmons, Smith, Swindall, Tennant, Weed, and Willard—15.

Those who voted in the negative were:

Messrs. Brownfield, Chenoweth, Ferguson, Foster, Noyes, Savage, Van Valzah, Webster, Wood, and Mr. Speaker—10.

Amendment to the amendment carried.

Mr. Knapp moved that the resolution be now indefinitely postponed.

Upon this motion the yeas and nays were demanded, with the following vote:

Those who voted in the affirmative were:

Messrs. Chapman, Foster, Henness, Jackson, Judson, Knapp, McCall, Miles, Savage, Shead, Shelton, Shockley, Simmons, Smith, Swindall, Tennant, Van Valzah, Weed, Willard, Yantis, and Mr. Speaker—21.

Those who voted in the negative were:

Messrs. Brownfield, Chenoweth, Gile, Noyes, Short, Webster, and Wood—7.

The resolution was therefore indefinitely postponed.

Mr. Chenoweth, from the Committee on Judiciary, reported a substitute on

H. B. No. 109—An act to dissolve the bonds of matrimony existing between Samuel Wilson and Esther Wilson.

Substitute laid on the table, to come up in its order.

The following report was received from the Committee on Enrolled Bills:

MR. SPEAKER:

The Joint Committee on Enrolled bills have examined the following bills and memorials, and find them correctly enrolled:

H. B. No. 89—An act relative to the taking up of saw-logs and other timber of value.

H. M. No. 18—Praying the establishment of a port of delivery at Cascade City.

A. H. SIMMONS,
Chairman.

Report received and adopted.

The Speaker gave notice that he would now proceed to sign the bills as reported by said committee.

Mr. Simmons, from the Committee on Corporations, submitted the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred:

H. B. No. 111—An act to incorporate the Wallacut Portage Railroad Company,

Have had the same under consideration, and have directed me to report the same back, with an amendment.

Mr. Brownfield, upon request, was granted leave of absence from the House of Representatives after Monday next.

Mr. Chenoweth, upon request, was excused from further attendance upon the House after Monday.

Mr. Shead, from Select Committee, submitted the following report:

MR. SPEAKER:

The Select Committee, to whom was referred—

H. B. No. 90—An act to define the boundary lines between Thurston and Sawamish counties,

Have had the same under consideration, and have instructed me to report the same back with an amendment, and recommend its passage.

Strike out all after the words "thence west" in line 8, and insert the following: "to the northeast corner of Chehalis county."

OLIVER SHEAD,
Chairman.

Report received, and amendment adopted.

Upon leave, Mr. Smith introduced—

H. J. R. No. 32—Relative to the Superintendency of Indian Affairs.

Read a first time.

Rules suspended and read a second time, and referred to a Select

Committee of three members, consisting of Messrs. Miles, Smith and Willard.

Mr. Webster moved that when the House adjourns, it adjourn to meet again at 2 o'clock, P. M.

Carried.

Upon leave, Mr. Shead introduced—

H. B. No. 121—An act to authorize William Packwood to establish a bridge across the Nisqually river.

Was read a first time.

The rules were suspended, and the bill was read a second and third time.

Mr. Wood offered the following protest against the introduction of said bill:

WHEREAS, William Packwood caused a bill to be introduced in this House giving him the exclusive privilege of erecting a bridge or ferry across the Nisqually river, was indefinitely postponed in the Council, and whereas said Packwood has this day caused another bill to be introduced in the House, contrary to the following Joint Rule, to-wit: "When a bill or resolution which has been passed in one house shall be rejected in the other, it shall not be brought in during the same session, without a notice of ten days, and leave of two-thirds of that house in which it shall be renewed." I therefore protest against the introduction of said bill in this House—ten days notice not having been given, and no vote being taken.

W. H. WOOD.

The question now being upon the final passage of the bill, the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative were—

Messrs. Brownfield, Gile, Henness, Jackson, Judson, McCall, Miles, Savage, Shead, Shelton, Shockley, Simmons, Smith, Swindall, Weed, Willard, Yantis and Mr. Speaker—18.

Those voting in the negative were—

Messrs. Chapman, Short, Webster, and Wood—4.

The bill therefore passed, and title approved.

Mr. Miles, from Select Committee, submitted the following report:

MR. SPEAKER:

The Select Committee, to whom was referred—

H. J. R. No. 32—Relative to the Superintendency of Indian Affairs,

Have had the same under consideration, and have instructed me to report the same back to the House with an amendment, and recommend its passage.

Which was adopted.

The rules were suspended, and the resolution read a third time.

And upon the final passage the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative were—

Messrs. Brownfield, Chapman, Chenoweth, Ferguson, Gile, Henness, Jackson, Judson, Knapp, McCall, Miles, Noyes, Savage, Shead, Shelton, Short, Simmons, Smith, Swindall, Webster, Weed, Willard, Yantis, and Mr. Speaker—24.

None voting in the negative.

The resolution therefore passed.

Message from the Council—

MR. SPEAKER :

I am directed to inform the House that the Council have passed H. B. No. 42—An act defining the jurisdiction and practice in the probate courts of Washington Territory.

A. J. MOSES,
Chief Clerk.

Upon request, Mr. Noyes was excused from further attendance upon this body after Jan. 28th inst.

Third reading of bills:

H. B. No. 93—An act for the temporary establishment of the county seat of Chehalis county.

Read a third time, passed, and its title agreed to.

Mr. Miles, from the Select Committee, submitted the following report:

MR. SPEAKER :

The Select Committee, to whom was referred—

H. J. R. No. 17—Concerning the Governor being furnished with a map by the Surveyor General,

Beg leave to report that they have had the same under consideration, and have had a conference with the Governor and Secretary. From

the Governor they learn that he will be satisfied with the map belonging to this House, if the House should be disposed to order the same placed in his office; and therefore we recommend this map to be so disposed of, as the Secretary informed us that he had no funds in his possession that could be used for the purpose of furnishing the Governor's office with a map.

HENRY MILES, Ch'n.
C. W. SWINDALL.

Report laid on the table.

H. B. No. 90—An act to define the boundary line of Thurston and Sawamish counties.

Was read a third time, passed, and its title agreed to.

H. B. No. 111—An act to incorporate the Wallacut Railroad Company.

Bill read as amended by the committee, passed, and title approved.

Mr. Miles moved to suspend the rules, and that

H. B. No. 42—An act defining the jurisdiction and practice in the probate courts of Washington Territory,

Be now taken up.

Carried.

And the clerk proceeded to read *seriatim* the amendments made to the bill by the Council.

First amendment read, and the House concurred therein.

Second amendment read, and the House refused to concur therein.

Mr. Van Valzah moved that the bill be laid on the table.

Pending which motion the House adjourned.

AFTERNOON SESSION.

House met punctually at the hour to which it had adjourned.

Mr. Speaker in the chair.

Roll called—members all present except Messrs. Shaffer and Van Valzah.

H. B. No. 42—An act defining the jurisdiction and practice in the probate courts of Washington Territory,

Was taken up.

Mr. Miles moved a reconsideration of the vote whereby the House had refused to adopt the second amendment by the Council.

Was carried.

And the House concurred in said amendment.

Third amendment read and concurred in.

Fourth and fifth amendments were read and concurred in.

C. J. M. No. 3—Relative to the war debt of Washington Territory and the State of Oregon.

Memorial read a first time.

Rules suspended, bill read a second and third times and passed.

On motion of Mr. Miles,

The Printing Committee were instructed to have 500 copies of the memorial printed.

H. B. No. 76—An act to incorporate the Puget Sound University,

Was read as amended by the Council, and the amendments were concurred in.

Council substitute for H. B. No. 5—An act conferring jurisdiction upon the district court of Walla-walla.

Bill read as amended by the Council, and amendments concurred in.

H. B. No. 54—An act to establish a ferry between Whidby's Island and Port Townsend.

Read as amended by the Council, and the amendments were concurred in.

H. B. No. 36—An act authorizing John Carson to construct a bridge across the Puyallup river.

Bill read as amended by the Council, and the House concurred in the amendments.

H. B. No. 50—An act to locate and establish a territorial road from John M. Shotwell's, on Black river, to David Biles', on the Chehalis river.

Bill read as amended by the Council, and the amendments concurred in.

H. B. No. 37—An act to authorize John Walker, to establish a ferry across the Puyallup river.

Read as amended by the Council, and the amendments concurred in.

H. J. R. No. 21—Relative to tendering a vote of thanks to Captain Charles Dodd, for procuring the scalp of Col. Isaac N. Ebey.

Resolution read as amended by the Council, and the amendments were concurred in by the House.

H. B. No. 99—An act relating to gaming and gaming contracts.

Bill read as amended by the Council, and the amendments were concurred in.

H. B. No. 35—An act to incorporate the city of Port Townsend.

Read as amended by the Council, and amendments concurred in.

H. B. No. 19—An act to locate the county seat of Pacific county.

Was read a first time.

The rules were suspended, and the bill read a second and third times, passed, and title approved.

C. B. No. 16—An act authorizing H. D. Huntington to establish a ferry across the Cowlitz river.

Read a first time.

Rules suspended, and the bill read a second and third time, passed, and title approved.

C. B. No. 17—An act to incorporate the Puget Sound Woolen Manufacturing Company.

Bill read a first time.

Rules suspended, bill read a second and third times, passed, and title approved.

C. J. M. No. 4—Relative to the tide flats lying in front and adjacent to the town of Olympia.

Memorial read a first time.

Rules suspended, memorial read a second and third times and passed.

C. B. No. 22—An act to dissolve the bonds of matrimony existing between Francis McNatt and Mary Ann McNatt.

Read a first time, (as also petition and other accompanying papers.)

Rules suspended, bill read a second and third times, passed, and title approved.

C. B. No. 20—An act to incorporate the Olympia Wharf Company.

Was read a first time.

Rules suspended, bill read a second and third times, passed, and title agreed to.

Upon motion of Mr. Foster,

Mr. Webster was excused from further attendance upon the House from and after Monday next.

Mr. Miles moved that the clerks be instructed to so arrange all lengthy bills, that may pass the Legislative Assembly, as to supercede the necessity of having them enrolled, in order thereby that the enrolling may be enabled to have all matter ready to receive the signatures of the presiding officers, before the Legislature shall have adjourned *sine die*.

Was carried, and they were so instructed.

Upon leave, Mr. Shead introduced—

H. J. R. No. 33—Relative to appointing delegates to attend a Northern Pacific Railroad Convention to be held at Vancouver.

Resolution read a first time.

Rules suspended and read a second time.

Mr. Knapp, upon leave, offered a substitute to the same, which, together with the original, was referred to the following Select Committee: Messrs. Simmons, Shead, and Chapman.

Upon leave, Mr. Chapman introduced—

H. B. No. 133—An act authorizing P. C. Dunlevy to establish a ferry across the outlet of Lake Shalam, in Spokane county.

Read a first time.

Rules suspended, bill read a second and third time, passed, and title approved.

H. B. No. 62—An act relative to crimes and punishments, and proceedings in criminal cases.

Bill read a second time.

Mr. Chenoweth offered certain amendments to the bill, which were read and adopted.

And the rules were further suspended, bill read a third time, passed, and title approved.

H. B. No. 108—An act to prevent hogs from running at large in the counties of Walla-walla, Clatsop, Kitsap and King.

Bill read a first time, amended, rules suspended, read a second and third times, passed, and title agreed to.

H. B. No. 112—An act to amend an act entitled an act changing the time of holding the county commissioners courts.

Bill read a first time.

Rules suspended, bill read a second and third time, passed, and title agreed to.

Substitute for H. B. No. 109—An act to dissolve the bonds of matrimony existing between Samuel Wilson and Esther Wilson.

Bill read a first time.

Rules suspended, and the bill read a second and third time, passed, and title approved.

When, on motion, the House adjourned.

J. T. TURNER,
Chief Clerk.

SATURDAY, January 28th, 1860.

House met pursuant to adjournment.

Mr. Speaker in the Chair.

Upon calling the roll, all members present.

Journal of yesterday read and approved.

Upon leave, Mr. Ferguson introduced—

H. B. No. 124—An act to authorize John Cogswell to establish a ferry across Yakima river, in Spokane county.

Bill read three several times, under a suspension of the rules.

Mr. Yantis moved to reconsider the vote whereby the bill had received a third reading.

Lost.

Bill passed and title approved.

Mr. Chenoweth in the Chair.

Upon leave, Mr. Tennant introduced—

H. B. No. 125—An act to dissolve the bonds of matrimony existing between Morris H. Frost and Mary A. Frost.

A petition accompanied the bill, which was read.

Bill read a first time.

Rules suspended and bill read a second time.

Mr. Wood moved that the House resolve itself into a committee of the whole to take in consideration said bill.

Carried.

Mr. Van Valzah in the Chair.

Upon request, Mr. Gile was excused from further attendance upon the House to-day.

After some time spent in committee of the whole, the committee rose and through their chairman, reported progress, and begged leave to sit again.

Report adopted.

Mr. Chenoweth in the chair.

Upon motion of Mr. Wood,

The rules were suspended and Mr. Miles was granted the privilege of introducing—

H. B. No. 126—An act to dissolve the bonds of matrimony existing between John Cantwell and Ann Cantwell.

Bill read a first time.

Rules suspended and bill read a second time.

Mr. Tennant moved to refer the bill to the committee on Indian Affairs.

Lost.

Mr. Chapman moved a further suspension of the rules, and that the bill be read a third time now.

Pending which motion,

Mr. Shead moved to refer the bill to the committee on Judiciary.

Motion lost.

Bill read a third time, and the question being, "shall the bill pass?"

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Foster, Jackson, Judson,

McCall, Miles, Noyes, Savage, Short, Smith, Swindall, Tennant, Webster, Weed and Yantis—17.

Those voting in the negative, were—

Messrs. Henness, Shead, Shelton, Simmons and Willard—5.

The bill therefore passed and title approved.

Message from the Council by their Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of the passage of the following, viz:

H. J. R. No. 26—Relative to the introduction of new legislative matter after January 28th inst.

And of the introduction of—

C. J. M. No. 5—Relative to the late Pacific Railroad Convention held at San Francisco, Cal.

ANDREW J. MOSES,
Chief Clerk.

Upon leave, Mr. McCall introduced—

H. B. No. 127—An act to dissolve the bonds of matrimony between John Taylor and Jane Taylor.

Bill read a first time, and under a suspension of the rules, was read a second and third times, passed and title approved.

Upon leave, Mr. Noyes introduced—

H. B. No. 128—An act to extend the provisions of the mechanics lien law.

Bill read a first time.

Under a suspension of the rules, bill read a second and third time and passed, and title approved.

Upon leave, Mr. Swindall introduced—

H. B. No. 129—An act to authorize a company to open the navigation of the Nisqually river.

Bill read a first time.

Rules suspended, bill read a second time and referred to the following select committee, viz:

Messrs. Wood, Weed and Noyes.

Upon leave, Mr. Henness introduced—

H. B. No. 130—An act in relation to the construction of dykes, levees and ditches.

Bill read a first time,

And under a suspension of the rules, was read a second and third times, passed and title approved.

Mr. Brownfield presented a petition, signed by Samuel McCurdy and 43 others, praying the Legislature to grant a charter to Robert W. Travers for the establishment of a ferry across the Bay of Port Discovery, in Jefferson county.

Petition read and referred to the Committee on Corporations.

Mr. Webster moved that when the House adjourn, that it adjourn to meet at 2 o'clock, P. M.

Carried.

Mr. Noyes moved that Mr. Henness be granted a leave of absence from the time the Legislature convened, till he took his seat in the House.

Upon which motion, the yeas and nays were demanded, and the vote stood 18 in favor to 3 against.

Motion carried.

Mr. Noyes was also granted a leave of absence from the time the the Legislature convened until he took his seat in the House.

Mr. Simmons, from the Joint Committee on Enrolled Bills, reported as follows:

MR. SPEAKER :

The Joint Committee on Enrolled Bills have examined the following and have found it correctly enrolled:

H. J. M. No. 19—Relative to a semi-weekly mail service upon Puget Sound.

A. H. SIMMONS,

Chairman on part of the House.

When, upon motion of Mr. Tennant,

The House adjourned till 2 o'clock, P. M., of to-day.

AFTERNOON SESSION.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling of the roll the following members found absent, viz:
Messrs. Chenoweth, Ferguson, Foster, Gile, Shockley, Simmons,
Tennant, Van Valzah and Weed.

Mr. Shaffer moved a call of the House.

Carried.

Upon a further call of the House and the above mentioned members being still absent, the Sergeant-at-arms was instructed to bring in the absent members.

Messrs. Chenoweth and Simmons appearing within the bar,

On motion of Mr. Swindall,

A further call of the House was dispensed with.

Second reading of bills.

H. B. No. 120—An act to prevent stud-horses, jack-asses and ridglings from running at large,

Was read a second time, and under a suspension of the rules, was read a third time and passed.

Upon leave, Mr. Miles introduced—

H. B. No. 131—An act declaring the Willamette Meridian a territorial road.

Bill read a first time.

Rules suspended and bill read a second time and referred to the Committee on Roads and Highways.

H. B. No. 122—An act to amend an act entitled an act relative to estrays and other unclaimed property.

Read second time, and

Referred to committee on Agriculture.

Upon leave, Mr. McCall introduced—

H. B. No. 132—An act to amend an act to establish a pilotage on the Columbia river and Shoalwater Bay.

Bill read a first time.

Rules suspended and bill read a second time, and

Upon motion of Mr. Chenoweth,

Was referred to Committee on Commerce.

Mr. Short moved a reconsideration of the vote whereby the House concurred in Council amendments to—

H. B. No. 50—An act to locate and establish a territorial road from John M. Shotwell's, on Black river, to David Biles', on the Chehalis river.

Carried.

The bill was taken up and the amendments were read, and the House refused to concur therein.

On motion, the Clerk was instructed to report said action, forthwith, to the Council.

Upon leave, Mr. Miles introduced—

H. B. No. 133—An act in relation to divorces.

Bill read three several times, under a suspension of the rules, passed and title approved.

The following members were excused from attendance upon the House from and after Monday next, viz:

Messrs. Simmons, Jackson, Smith and Miles.

Mr. Simmons, from the Joint Committee on Enrolled Bills, upon leave submitted the following report:

MR. SPEAKER :

The Joint Committee on Enrolled Bills have examined the following bills, and find them correctly enrolled:

H. B. No. 35—An act to incorporate the city of Port Townsend.

H. B. No. 114—An act to dissolve the bonds of matrimony existing between Angeline Lindner and F. Lindner.

H. B. No. 84—An act relating to deeds.

H. B. No. 73—An act to legalize the acts of county commissioners of such counties as held a term of court on the 6th day of June, A. D. 1859.

H. B. No. 103—An act to protect the salmon fisheries on Chenook beach, Pacific county.

H. B. No. 70—An act relating to arbitrations.

H. B. No. 102—An act regulating the measurement of oysters in Shoalwater Bay, Pacific county.

H. B. No. 24—An act authorizing A. Jacobs to establish a bridge across the Touchet river, in Walla Walla county.

A. H. SIMMONS,
Chairman.

Report received and adopted.

Mr. Speaker gave notice that he would proceed to sign said bills, as reported by said committee.

Upon leave, Mr. Chenoweth introduced the following resolution, to-wit:

Be it resolved by the Legislative Assembly of the Territory of Washington, That the Legislative Assembly adjourn sine die, on the 30th inst.

Resolution received and laid on the table.

Upon leave, Mr. Chenoweth, from the committee on Judiciary, made the following report:

MR. SPEAKER:

The committee on Judiciary to whom was referred a resolution concerning the Register's office, have had the same under consideration, and have instructed me to report the same back, with amendments, and recommend its passage.

F. A. CHENOWETH,
Chairman.

Report received and amendments adopted.

Mr. Knapp moved to amend the report, by striking out \$1000, and inserting \$3000.

Carried.

Mr. Tennant moved to lay the resolution on the table.
Lost.

Resolution read a third time.

Mr. Tennant moved to adjourn.
Lost.

Message from the Council by their Clerk:—

MR. SPEAKER :

I am instructed by the Council to inform the House of the passage of the following:

H. B. No. 106—An act to regulate the road tax of Kitsap county.

A. J. MOSES.
Chief Clerk.

The question being, “shall the resolution pass?”

The yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Chenoweth, Foster, Judson, Knapp, Miles, Noyes, Savage, Shaffer, Short, Webster, Wood and Mr. Speaker—14.

Those voting in the negative, were—

Messrs. Henness, Jackson, McCall, Shead, Shelton, Shockley, Simmons, Tennant, Weed, Willard and Yantis—12.

The resolution therefore passed.

H. B. No. 106—An act to regulate the road tax of Kitsap county,
Was taken up and read as amended by the Council and amendments concurred in.

Upon leave, Mr. Wood introduced—

H. B. No. 134—An act to authorize the county commissioners of Pierce county to regulate the road tax in said county.

Bill read three several times, under a suspension of the rules, and passed and title approved.

On motion of Mr. Shead,

H. B. No. 25—An act authorizing William Packwood to establish a wagon road near the Nisqually river,

Was taken from the table.

Mr. Shead offered certain amendments to the bill, which were adopted, when

Upon motion of Mr. Wood,

The bill was laid over, and to-morrow assigned as the time for the third reading.

Upon motion of Mr. Brownfield,
The House adjourned.

J. T. TURNER,
Chief Clerk.

MONDAY, January 30th, 1860.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, all the members were found to be present except Messrs. Chenoweth, Ferguson, Savage, and Shead.

Journal of Saturday read and approved.

Message from the Council :

MR. SPEAKER:

I am instructed by the Council to inform the House of the passage of the following, to wit:

H. B. No. 115—An act to amend an act entitled an act regulating weights and measures.

H. J. R. No. 31—Legalizing the acts of the board of county commissioners of Pierce county.

With amendments.

H. B. No. 93—An act for the temporary establishment of the county seat of Chehalis county, and to provide for the location of the same by the popular vote at the next annual election.

A. J. MOSES,
Chief Clerk.

Business from the Council:

Mr. Wood moved that

H. J. R. No. 31—Legalizing the acts of the board of county commissioners of Pierce county,

Be now taken up.

Carried.

And the resolution was now taken up and read as amended by the Council, and the amendments were concurred in by the House.

Upon leave, Mr. Smith introduced

Memorial asking Congress to appropriate \$240 to George House for his services as enrolling clerk.

Mr. Miles from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER :

The Committee on Judiciary, to whom was referred—

C. B. No. 12.—An act to amend an act entitled an act to provide for a stay of execution upon judgments in the supreme and district courts,

Have had the same under consideration, and have instructed me to report the same back without amendment, and recommend its passage.

HENRY MILES,

Chairman.

Report laid on the table.

Mr. Miles, from the Committee on Indian Affairs, submitted the following report:

MR. SPEAKER:

The Committee on Indian Affairs, to whom was referred—

H. B. No. 77—An act concerning Negroes, Africans, Asiatics and South Pacific Islanders.

Also, House Joint Memorial No.

Have had the same under consideration, and have instructed me to report the same back with amendments, and recommend their passage.

HENRY MILES,

Chairman.

Report laid on the table.

Mr. Knapp, from the Committee on Roads and Highways, submitted the following report:

MR. SPEAKER:

The Committee on Roads and Highways, to whom was referred—

H. B. No. 131—An act declaring the Willamette meridian a territorial road,

Have had the same under consideration, and have instructed me to report the same back without amendment, and recommend its passage.

H. M. KNAPP,

Chairman.

Report laid on the table.

Mr. Simmons, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:

The Joint Committee on Enrolled bills have examined the following bills, and find them correctly enrolled:

Council substitute for H. B. No. 23—An act to authorize Wm. J. Terry to establish a ferry across Spokane river, in Spokane county.

H. B. No. 37—An act to authorize John Walker, to establish a ferry across the Puyallup river.

H. B. No. 36—An act authorizing John Carson to construct a bridge across the Puyallup river.

H. B. No. 78—An act authorizing W. D. Vaughn to establish a ferry or ferries across White river.

C. B. No. 16—An act authorizing H. D. Huntington to establish a ferry across the Cowlitz river.

C. J. M. No. 3—Relative to the war debt of the Territory of Washington and State of Oregon,

H. B. No. 76—An act to incorporate the Puget Sound University.

H. B. No 82—An act regulating the time within which civil actions may be commenced.

H. B. No. 83—An act relating to bills of exchange and promissory notes.

C. B. No. 17—An act to incorporate the Puget Sound Woolen Manufacturing Company.

H. B. No. 21—An act to regulate the practice and proceedings in civil actions in district courts.

H. B. No. 42—An act defining the jurisdiction of probate courts.

H. B. No. 99—An act relating to gaming and gaming contracts.

H. B. No. 54—An act authorizing Thomas Coupe to establish a ferry between Whidby's Island and Port Townsend.

H. B. No. 26—An act to provide for the selection and location of lands reserved for University purposes, and the appointment of a board of commissioners to select the same.

H. B. No. 31—Legalizing the acts of county commissioners of Pierce county.

A. H. SIMMONS,
Chairman.

Upon leave, Mr. Foster introduced

H. B. No. 135—An act for the relief of the late Territorial Librarian and Auditor.

Bill read a first time, and referred to a Select Committee of three members.

Upon leave, Mr. Shaffer introduced—

H. B. No. 136—An act to dissolve the bonds of matrimony existing between Charles D. Soule and Elizabeth Soule.

Bill accompanied by a deposition.

Was read a first time.

Rules suspended, bill read a second and third times.

And the question being upon its final passage, the yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative were—

Messrs. Brownfield, Chapman, Foster, Gile, Jackson, Judson, McCall, Miles, Shaffer, Short, Smith, Van Valzah, Webster, and Mr. Speaker—14.

Those voting in the negative were—

Messrs. Henness, Noyes, Shelton, Simmons, Willard, and Yantis—6.

The bill therefore passed, and title approved.

Upon leave, Mr. Shelton introduced

H. B. No. 137—An act to amend an act entitled an act to encourage the building of bridges, plank and turnpike roads.

Bill read a first time.

Rules suspended, bill read a second and third times, passed, and title approved.

The Speaker gave notice that he would now proceed to sign the following:

An act to authorize W. J. Terry to establish a ferry.

An act authoring John Walker to establish a ferry.

An act authorizing John Carson to construct a bridge.

An act authorizing W. D. Vaughn to establish a ferry or ferries.

An act regulating the time within which civil actions may be commenced.

An act in relation to bills of exchange and promissory notes.

An act for the location and selection of lands reserved for University purposes, and to appoint a board of commissioners.

An act relating to gaming and gaming contracts.

An act to establish a ferry between Whidby's Island and Port Townsend.

An act to incorporate the Puget Sound Woolen Manufacturing Company.

An act to incorporate the Puget Sound University.

Memorial relative to the war debt of Washington Territory and State of Oregon.

An act authorizing H. D. Huntington to establish a ferry across the Cowlitz river.

An act relating to probate courts, &c.

An act legalizing the acts of the board of commissioners of Pierce county.

An act conferring jurisdiction upon the district court of the county of Pierce.

Mr. Knapp moved that when the House adjourns, it adjourn to meet again at 2 o'clock, P. M.

Motion lost.

Mr. Judson, from the Committee on Agriculture, submitted the following report:

MR. SPEAKER :

The Committee on Agriculture, to whom was referred—

H. B. No. 122—An act, to amend an act, entitled, an act relative to estrays and other unclaimed property,

Have had the same under consideration, and have instructed me to report the same back with the following amendment, and recommend its passage:

Strike out section 2, and insert: "Any person finding an animal known to be stray upon the lands owned or occupied by such person, may, after three months, take up such animals as stray, or any animal in such a condition as to require feed to preserve its life, may be taken up at any time.

H. A. JUDSON,
Chairman.

Report received and adopted.

Bill read a third time, passed, and its title agreed to.

Upon request, Mr. Ferguson was excused from further attendance upon this body.

Second reading of bills:—

H. B. No. 25—An act authorizing Wm. Packwood to establish a wagon road near the Nisqually river,

Read a second time.

The rules were suspended, and the bill read a third time.

Upon its final passage, the yeas and nays were demanded, with the following vote:

Those voting in the affirmative were—

Messrs. Henness, Jackson, McCall, Shaffer, Shelton, Shockley, Simmons, Smith, Swindall, Webster, Weed, Willard, Yantis, and Mr. Speaker—14.

Those voting in the negative were:

Messrs. Chapman and Wood—2.

The resolution therefore passed, and title approved.

Substitute to H. B. No. 88—An act to authorize the people to locate the Capital, by their votes, at the next general election,

Was taken up and amended, and referred to the following Select Committee:

Messrs. Van Valzah, Simmons, and Henness.

Mr. Tennant moved that the House take up

H. J. R. No. 28—Concerning the organic act of the Territory of Washington,

Carried.

Resolution taken up and read as amended.

Amendments adopted.

And the resolution was read a third time and passed.

Mr. Van Valzah reported back

Substitute for H. B. No. 88—An act to authorize the people of the Territory of Washington to express by their votes at the next general election where the Capitol of the Territory shall be permanently located, With amendments.

Amendments adopted, and the bill read a third time, passed, and title approved.

Mr. Miles, from Select Committee, submitted the following report:

MR. SPEAKER :

The Select Committee, to whom was referred—

H. B. No. 135—An act for the relief of the late territorial auditor and librarian,

Have had the same under consideration, and have instructed me to report the same back to the House without amendment, and recommend its passage.

HENRY MILES,
Chairman.

Which was adopted.

The rules were suspended, and the bill read a second and third time.

And upon the final passage the yeas and nays were demanded, and the following is the vote:

Those who voted in the affirmative were:

Messrs. Foster, Gile, Jackson, McCall, Miles, Shelton, Shockley, Simmons, Smith, Swindall, Tennant, Van Valzah, Weed, Willard and Yantis—15.

Those who voted in the negative were:

Messrs. Brownfield, Chapman, Henness, Shead, Short, Webster and Wood—7.

Bill passed and title agreed to.

Business from the Council.

Substitute to Council Bill No. 26,

Was read a first time.

The rules were suspended, and the bill read a second and third times, passed, and title approved.

Council Bill No. 12.

Read a first time.

Rules suspended, and the bill read a second and third time, passed, and title approved.

H. J. R. No. 17—Praying for treaties to be formed with the Chehalis and other tribes of Indians,

Was now taken up and read as amended by the Committee on Indian Affairs, to whom it had been referred.

Amendment adopted.

Memorial read a third time and passed.

H. B. No. 119—An act to provide for the payment of prosecuting attorneys' fees for his appearance in the supreme courts,

Was taken up and continued on its second reading.

Mr. Simmons moved that when the House adjourns that it meet again at 2 o'clock, P. M.

Lost.

When, on motion of Mr. Tennant, the House adjourned.

J. T. TURNER,

Chief Clerk.

TUESDAY, January 31st, 1860.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, members all present.

Journal of yesterday read and approved.

Message from the Council by their Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House that the Council have passed the following:

C. B. No. 25—An act to regulate the road tax of Cowlitz county.

C. B. No. 26—An act to amend an act in relation to the district court of Pierce county.

H. M. No. 21—Relative to compensation to Dr. Samuel McCurdy,

for services rendered as Surgeon of the U. S. Marine Hospital, at Port Townsend, W. T.

H. J. R. No. 30—Asking the Secretary to pay Butler P. Anderson for compiling the laws of Washington Territory.

H. J. R. No. 27—Concerning extra pay for the members, attaches, or officers of the Legislative Assembly of Washington Territory.

C. B. No. 21—Supplement to an act, entitled, an act to incorporate the Northern Pacific Railroad Company, approved January 28th, 1857.

H. B. No. 44—An act to amend an act entitled an act to authorize and regulate the erection of wharves.

H. B. No. 111—An act to incorporate the Wallacut Portage Railroad Company.

H. B. No. 92—An act amendatory to an act, entitled an act to amend an act to incorporate the city of Vancouver.

H. B. No. 79—An act to locate a territorial road from Steilacoom, in Pierce county, to Yelm prairie in Thurston county,

H. B. No. 121—An act authorizing William Packwood to erect a bridge across the Nisqually river.

H. B. No. 104—An act to incorporate the Chehalis Steamboat Company.

H. B. No. 116—An act to authorize J. L. Scammons to establish a ferry across the Chehalis river.

H. B. No. 133—An act authorizing P. C. Dunlevey to establish a ferry across the outlet of Lake Shalam, in Spokane county.

H. J. R. No. 29—Relative to an amendment of the donation law.

H. B. No. 90—An act to define the boundary lines between the counties of Thurston and Sawamish.

Substitute for H. B. No. 105—An act to amend an act, entitled, an act relating to constructing and maintaining of roads.

Also, that the Council have indefinitely postponed—

H. B. No. 59—An act to incorporate the Spokane bridge company.

And that the Council have receded from their amendment to—

H. B. No. 50—An act to locate and establish a territorial road from Jno. M. Shotwell's, on Black river, to David Biles', on the Chehalis river.

ANDREW J. MOSES,

Chief Clerk.

Upon leave, Mr. Chapman introduced—

H. B. No. —An act to dissolve the bonds of matrimony existing between Martin Schmeig and Elizabeth Schmeig.

The bill was accompanied by a petition from the husband.

Bill read a first time, and

Upon motion of Mr. Ferguson,

Bill read a second time, and

Under a suspension of the rules, bill read a third time, passed and title approved.

Upon leave, Mr. Miles introduced—

H. J. R. No. 34—Relative to furnishing each member and officer of the Legislative Assembly with one rifle out of the Territorial arms.

Resolution read first time, and

Under a suspension of the rules, read a second time.

Mr. Shead moved to amend the resolution, by inserting: “and every citizen of Washington Territory.”

Lost.

Mr. McCall moved to amend, by adding: “and one howitzer.”

Lost.

When, on motion of Mr. Webster,

The rules were further suspended, and resolution read a third time and passed.

Mr. Wood, from Committee on Ways and Means submitted the following report:

MR. SPEAKER:

The committee on Ways and Means, having had the reports of the Territorial Auditor and Treasurer under consideration, beg leave to report as follows:

That only three counties in the Territory it would seem have paid their Territorial taxes, to-wit: Piece, Sawamish and Wahkiakum; the other counties are more or less in debt, some upwards of \$300, and but two less than \$30. Clarke county's indebtedness amounts to \$317 45; Island county, \$391 46; Thurston county, \$229; Lewis county, \$256 60, and Whatcom county, \$115 34. Much, however, if not all of these unpaid taxes may be still uncollected in the several counties, and if so, it would be no more than justice to credit each county, in each year, with the amount of delinquent territorial tax.

The committee also think that the funds in the Territorial Treasury, or a portion of them, ought to be loaned out at good interest, on good security, and thus defray, at least, a part of the Territorial expenses.

It is to be lamented that the county assessors do not take more interest in making their statistical reports, thus making it the duty of the Legislature to make such a law as will render it imperative on the county assessors to make out and transmit to the proper office a full and complete statistical report, each year. In view of all these facts, the committee would recommend the passage of the accompanying bills.

W. H. WOOD,

Chairman of the House committee on Ways and Means.

JAS. BILES,

Chairman of the Council committee on Ways and Means.

H. B. No. 141—An act relating to county assessors.

Bill read a first time.

On motion, the rules were suspended, and

Bill read second time, and referred to the following select committee,
viz:

Messrs. Webster, Wood and Miles.

Upon leave, Mr. Webster introduced—

A resolution relative to the introduction of new legislative matter.

Resolution read a first time, and under a suspension of the rules, read a second and third times and passed.

Mr. Shaffer, upon leave, submitted the following resolution:

Resolved, That the sincere thanks of this House are due to the Hon. J. D. Biles for his able and impartial administration as Speaker of this body, and for his gentlemanly and courteous deportment as a presiding officer.

Resolved, That the thanks of this House are due to the other officers of this Assembly for the prompt and efficient discharge of their respective duties.

Resolution read and adopted.

H. B. No. 140—An act to authorize the Territorial Treasurer to credit the several counties with delinquent tax list.

Bill read a first time, and

Upon motion of Mr. Noyes,

Rules were suspended and bill read a second and third time, passed and title agreed to.

H. B. No. 139—An act to authorize the Territorial Treasurer to lend the funds of the Territory.

Bill read a first time and was indefinitely postponed.

Upon leave, Mr. Judson introduced—

A resolution relative to allowing time and compensation to the Chief Clerk and Sergeant-at-arms for bringing up the proceedings of the House, after adjournment.

Resolution read a first time.

Mr. Tennant moved to strike out the word "Territorial."

Carried.

Mr. Tennant moved to further amend the resolution, by inserting the following, to-wit:

The Sergeant-at arms shall be allowed ten days, and the Chief Clerk 20 days, to bring up unfinished business, after the House adjourns.

Amendment adopted and the resolution passed.

Mr. Simmons, from the Joint Committee on Enrolled Bills, upon leave submitted the following report:

The Joint Committee on Enrolled Bills have examined the following bills, and find them correctly enrolled:

H. B. No. 71—An act for the suppression of houses of ill-fame.

H. B. No. 86—An act to regulate suits for divorce and alimony.

H. B. No. No. 89—An act relating to taking up saw-logs and other timber of value.

H. B. No. 28—An act to establish a common school system for Washington Territory,

C. B. No. 20—An act to incorporate the Olympia Wharf Company.

C. B. No. 19—An act to establish the county seat of Pacific county.

H. B. No. 101—An act to prevent the sale of intoxicating liquors to Kanakas.

H. B. No. 85—An act to prevent fraudulent conveyances.

H. B. No. 60—An act to punish persons for enticing sailors to desert from ships.

H. B. No. 28—An act to establish a common school system for the Territory of Washington.

H. B. No. 106—An act to regulate the county tax of Kitsap county.

H. B. No. 32—An act to define the boundaries of Chehalis county,

H. B. No. 93—An act for the temporary establishment of the county seat of Chehalis county.

H. B. No. 62—An act relative to crimes and punishments, and proceedings in criminal cases.

H. B. No. 35—An act to incorporate the city of Port Townsend.

H. B. No. 114—An act to dissolve the bonds of matrimony existing between Angeline Lindner and F. Lindner.

H. B. No. 84—An act relating to deeds.

H. B. No. 73—An act to legalize the acts of county commissioners of such counties as held a term of court on the 6th day of June, A. D. 1859.

A. H. SIMMONS,
Chairman.

Report received and adopted.

The Speaker announced to the House that he would at once proceed to sign the foregoing bills, as reported correctly enrolled by the committee.

H. B. No. 142—An act to authorize William Packwood to erect a bridge across the Nisqually river.

Bill read a first time.

Rules suspended and bill read a second time, and referred the following select committee, viz:

Messrs. Shead, Wood and Smith.

H. B. No. 143—An act compensating Elwood Evans for certain legal services rendered to the committee on Judiciary.

Bill read a first time.

Rules suspended and bill read a second time.

Mr. Henness moved to indefinitely postpone the bill.
Lost.

Rules further suspended and the bill read a third time.

The question being, "shall the bill pass?"

The yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Brownfield, Chapman, Judson, McCall, Miles, Noyes, Savage, Short, Smith, Webster, Weed, Willard and Yantis—13.

Those voting in the negative, were—

Messrs. Henness, Jackson, Wood and Mr. Speaker—4.

The bill therefore passed and title approved.

Upon leave, Mr. Webster submitted the following report:

MR. SPEAKER :

The select committee to whom was referred H. B. No. 141, have had the same under consideration, and have directed me to report the same back and recommend its passage without amendments; and your committee would recommend that there be one hundred copies printed and distributed among the members of the Legislature, immediately.

JOHN WEBSTER,

Chairman.

Report received and adopted.

Bill read a third time and passed, and title approved.

Mr. Wood moved that 100 copies be ordered printed.

Carried.

Upon leave, Mr. Simmons submitted the following report:

MR. SPEAKER :

The select committee to whom was referred H. J. R. No. 33, have had the same under consideration, and have instructed me to report the following substitute, and recommend its passage.

A. H. SIMMONS,

Chairman.

Report received and laid on the table, and substitute referred back again to the select committee.

Mr. Knapp moved that when the House adjourn, it adjourn to meet again at 2 o'clock, P. M.

Carried.

Second reading of bills.

H. B. No. 131—An act delaring the Willamette Meridian a territorial road.

Bill read a second time.

Rules suspended and bill read a third time, passed and title agreed to.

When, on motion of Mr. Shead,
The House adjourned.

J. T. TURNER,
Chief Clerk.

AFTERNOON SESSION.

House met pursuant to adjournment.

Mr. Speaker in the Chair.

Upon calling the roll, all members present, except Messrs. Brownfield, Chenoweth, Foster, Noyes, Van Valzah and Webster, who were absent upon leave.

Second reading of bills.

H. B. No. 119—An act to provide for the payment of prosecuting attorney for his services in the supreme court.

Was read a second time, and

Rules suspended and bill read a third time.

The question being, "shall the bill pass?"

The yeas and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Ferguson, Judson, Smith and Swindall—4.

Those voting in the negative, were—

Messrs. Chapman, Jackson, Knapp, McCall, Savage, Shead, Shelton, Short, Wood and Mr. Speaker—10.

The House therefore refused to pass the bill.

H. B. No. 118—An act to define the north line of Lewis county.

Bill read a second time and referred to the following select committee, viz:

Messrs. Shead, Judson and Chapman.

H. J. R. No. 24—Relative to the appointment of Henry L. Caples to the office of Receiver of monies for public lands in Washington Territory,

Was taken up and the amendments offered by the committee were read and laid on the table.

H. B. No. 91—An act to define the boundary lines of Clalm county.
Bill laid over, subject to the order of the House.

H. B. No. 57—An act to exempt certain property of unmarried men from execution.

Bill taken from the table and referred to the following select committee.

Messrs. Henness, Knapp and Savage.

C. B. No. 8—An act to authorize the Secretary of Washington Territory to receive compensation for certificate and seal of office.

Bill read a second time.

Mr. Ferguson moved the indefinite postponement of the bill.

Lost.

Mr. Weed moved to amend the bill by striking out \$5 and insert \$2 50 in lieu thereof.

Carried.

Rules suspended and bill read a third time, passed and title agreed to.

H. B. No 31—An act to appoint officers for Chehalis county.

Under a suspension of the rules, bill read a second and third time and passed, and title approved.

Upon leave, Mr. Shead submitted the following report—

MR. SPEAKER:

The committee to whom was referred H. B. No. 142, have had the same under consideration and have instructed me to report the same back with amendments and recommend its passage.

OLIVER SHEAD,

Chairman.

Report received and laid on the table.

Bill read a third time and passed, and title approved.

H. B. No. 77—An act concerning negroes or Africans, Asiatics and South Pacific Ocean Islanders.

Mr. Wood moved that the bill be indefinitely postponed.

Upon this motion the ayes and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Henness, Jackson, McCall, Savage, Shead, Shelton, Shockley, Weed, Willard and Wood—10.

Those voting in the negative, were—

Messrs. Chapman, Ferguson, Judson, Knapp, Short, Smith, Swindall and Mr. Speaker—8.

The bill was therefore indefinitely postponed.

Business from the Council.

C. B. No. 25—An act to regulate the road tax of Cowlitz county. .

Bill read a first time,

And under a suspension of the rules, was read a second and third times, passed and title approved.

C. B. No. 21—Supplement to an act entitled an act to incorporate the Northern Pacific Railroad Company, approved Jan. 28th, 1857.

Bill read a first time, and under a suspension of the rules, was read a second and third times, passed and title approved.

H. B. No. 105—An act to amend an act relating to the construction of roads and highways, and defining the duties of supervisors of highways.

Bill read three several times, under a suspension of the rules, and passed and title approved.

H. B. No. 2—An act to create and organize the county of Harney.
Bill read a third time and indefinitely postponed.

When, on motion,

The House adjourned.

J. T. TURNER,
Chief Clerk.

WEDNESDAY, February 1, 1860.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, all the members were found to be present except Messrs. Brownfield, Chenoweth, Foster, Miles, Noyes, Simmons, Van Valzah and Webster.

Journal of yesterday read and approved.

Mr. Ferguson moved that when the House adjourns it adjourn till half-past 6 o'clock, P. M.

Carried.

Report from Select Committee :

Mr. Henness, from Select Committee, submitted the following report:

MR. SPEAKER:

The Select Committee, to whom was referred—

H. B. No. 57—An act to exempt certain property of unmarried men from execution,

Have had the same under consideration, and have instructed me to report the same back with the following amendment, and recommend its passage:

Insert after the word "oxen," "one cow, one dog, one rifle or shot gun."

B. L. HENNESS,
Chairman.

Report received, and adopted.

Bill read a third time, and amended.

The question now being upon the final passage of the bill, the yeas and nays were demanded, and the following is the vote:

Those who voted in the affirmative were:

Messrs. Ferguson, Gile, Jackson, Knapp, McCall, Savage, Shockley, Smith, Tennant, and Wood—10.

Those who voted in the negative were:

Messrs. Chapman, Shead, Shelton, Short, Willard, Yantis, and Mr. Speaker—8.

The bill therefore passed, and title approved.

Message from the Council—

MR. SPEAKER :

I am directed to inform the House that the Council have passed the following:

H. B. No. 62—An act relating to crimes and punishments, and proceedings in criminal cases.

H. J. R. No. 32—Relative to the Superintendency of Indian Affairs.

H. B. No. 107—An act to punish seamen for deserting ships in the waters of Puget Sound.

H. B. No. 117—An act to protect public and private bridges.

H. B. No. 112—An act to amend an act entitled an act changing the time of holding the county commissioners courts.

C. B. No. 28—An act authorizing four terms of county commissioners court of Thurston county, in one year.

H. B. No. 98—An act relating to justices of the peace and constables, and the practice before justices of the peace.

H. B. No. 110—An act to amend an act entitled an act conferring jurisdiction upon the district court of the county of Walla-Walla.

C. B. No. 18—An act to provide for the sale of common school lands in the Territory of Washington.

H. M. No. 17—Praying for treaties to be formed with the Chehalis and other tribes of Indians.

H. B. No. 137—An act to amend an act entitled an act to encourage the building of bridges, plank and turnpike roads.

H. M. No. 22—Praying Congress to appropriate \$240 to George House, Enrolling Clerk.

And that the Council have indefinitely postponed the following bills:

H. B. No. 133—An act in relation to divorces.

H. B. No. 109—An act to dissolve the bonds of matrimony existing between Samuel Wilson and Esther Wilson.

H. B. No. 130—An act relative to the construction of dykes, levees, and ditches.

H. B. No. —An act to dissolve the bonds of matrimony existing between Charles D. Soule and his wife.

And that the Council have rejected-

H. B. No. 134—An act to authorize the county commissioners of Pierce county to regulate the road tax in said county.

And that the Council has indefinitely postponed—

Substitute for H. B. No. 69—An act to empower county commissioners to fix the amount of license for the sale of intoxicating liquors.

Also the passage of

C. J. M. No. 5—Relative to the late convention held at San Francisco, Cal.

And that the President has signed the following bills, memorials and resolutions:

H. M. No. 19—Praying the extension and increase of mail facilities on Puget Sound.

H. B. No. —An act relating to deeds.

H. B. No. 102—An act regulating the measurement of oysters in Shoalwater Bay, Pacific county.

H. B. No. 35—An act to incorporate the city of Port Townsend.

H. B. No. 24—An act to authorize A. Jacobs to establish a bridge across the Touchet river in Walla-walla county.

H. B. No. —An act relative to arbitrations.

H. B. No. 114—An act to dissolve the bonds of matrimony between Francis Lindner and Angeline Lindner.

H. B. No. 89—An act relative to the taking up of saw-logs and other timber of value.

Memorial—Praying the establishment of a port of delivery at Cascade City.

H. B. No. 103—An act to protect the salmon fisheries on Chenook Beach, Pacific county.

H. B. No. 73—An act to legalize the acts of county commissioners of such counties as held a term of their court on the 6th day of June, 1859.

H. B. No. 21—An act to regulate the practice and proceedings in civil actions in district courts.

H. B. No. 42—An act defining the jurisdiction and practice in the probate courts of Washington Territory.

H. B. No. —An act conferring jurisdiction upon the district court of the county of Pierce.

H. B. No. 54—An act to establish a ferry between Whidby's Island and Port Townsend.

C. B. No. 16—An act authorizing H. D. Huntington to establish a ferry across the Cowlitz river.

H. B. No. 99—An act relating to gaming and gaming contracts.

H. B. No. 83—An act in relation to bills of exchange.

C. J. M. No. 3—Relative to the war debt of Washington Territory and the State of Oregon.

H. J. R. No. 31—Legalizing the acts of the board of county commissioners of Pierce county.

C. B. No. 17—An act to incorporate the Puget Sound Woolen Manufacturing Company.

H. B. No. 78—An act to authorize William D. Vaughn, to establish a ferry or ferries across White river, in Pierce county.

H. B. No. 76—An act to incorporate the Puget Sound University.

H. B. No. —An act to regulate the time within which civil actions may be commenced.

H. B. No. 37—An act to authorize John Walker to establish a ferry across the Puyallup river, in Pierce county.

H. B. No. 36—An act to authorize John Carson to construct a bridge across the Puyallup river, in Pierce county.

H. B. No. 26—An act to provide for the location and selection of lands reserved for University purposes, and appoint a board of commissioners.

A. J. MOSES,
Chief Clerk.

Mr. Shead, from the Select Committee, submitted the following report:

MR. SPEAKER:

The Select Committee, to whom was referred—

H. J. R. No. 33—Relative to a Northern Pacific Railroad Convention to be held at Vancouver,

Have had the same under consideration, and have instructed me to report the same back with the following substitute:

WHEREAS, The construction of a Northern Pacific Railroad is a subject in which the people of Oregon and Washington are directly interested: And whereas, The time has now come for action on this matter,

Therefore, be it Resolved by the Legislative Assembly of the Territory of Washington, That the State of Oregon be respectfully invited to unite in convention with the Territory of Washington at Vancouver, on the 20th of May next.

Resolved further, That thirty (30) delegates be appointed by this Assembly to meet any number of delegates on the part of the State of Oregon, at the place and time aforesaid, to take in consideration the best means to be adopted for the furtherance of the object sought, and to make such recommendations as they in their wisdom shall see fit.

Resolved, That the delegates from this Territory be appointed from each county, according to the number of Representatives each county elects to the Legislative Assembly.

Resolved, That the gentlemen whose names are hereunto annexed, be and they are hereby declared delegates on the part of the Territory of Washington:

WALLA-WALLA COUNTY—J. A. Simms.

SKAMANIA COUNTY—Daniel Bradford.

COWLITZ COUNTY—Seth Catlin, Sr. .

WAHKIAKUM COUNTY—William Strong.

CLARKE COUNTY—H. J. G. Maxon, P. A'Hern, S. B. Curtis, A. Simmons, William Proebstel.

LEWIS COUNTY—A. B. Dellenbaugh, T. R. Winston.

PACIFIC COUNTY—H. K. Stevens.

CHEHALIS COUNTY—T. F. Carter.

THURSTON COUNTY—Edward Furste, James Longmyre, W. W. Miller, Oliver Shead, G. K. Willard, S. S. Ford, Sr.

SAWAMISH COUNTY—David Shelton.

PIERCE COUNTY—J. S. Jacquith, Frank Clark, Samuel McCaw.

KING COUNTY—Franklin Mathias.

ISLAND COUNTY—J. T. Turner.

KITSAP COUNTY—W. C. Talbot, Geo. A. Meigs.

JEFFERSON COUNTY—J. M. Van Valzah.

CLALLAM COUNTY—Elliot Cline.

WHATCOM COUNTY—J. G. Hyatt.

OLIVER SHEAD,
Chairman.

Resolution read a first time.

Rules suspended and read a second time.

Amended, and the rules were further suspended, resolution read a third time and passed.

Business from the Council:

C. B. No. 28—An act authorizing four terms of the county commissioners court in Thurston county, in each year.

Was read a first time.

Rules suspended, bill read second time,

And referred to the following Select Committee:

Messrs. Weed, Wood and Shockley.

C. J. M. No. 5—Relative to the late convention held at San Francisco, Cal., in September last.

Memorial read a first time.

Rules suspended, memorial read a second time.

On motion of Mr. Henness,

To-morrow was assigned as the time for the third reading.

Upon this motion the yeas and naves were demanded, with the following vote:

Those voting in the affirmative were—

Messrs. Henness, Jackson, Judson, McCall, Shead, Shelton, Shockley, Swindall, Tennant, Weed, Willard, Yantis, and Mr. Speaker—13.

Those voting in the negative were—

Messrs. Chapman, Ferguson, Gile, Knapp, Savage, Shaffer, Short, and Wood—7.

Was carried.

C. B. No. 18—An act to provide for the sale of common school lands of the Territory of Washington.

Read a first time.

Rules suspended and read a second time, and

Upon motion of Mr. Swindall,

Was referred to the following Select Committee:

Messrs. Swindall, Knapp, Chapman, Shead and Jackson.

Mr. Weed, from Select Committee, submitted the following report:

MR. SPEAKER:

The Select Committee, to whom was referred—

C. B. No. 28—An act authorizing four terms of the county commissioners court in Thurston county, in each year,

Have had the same under consideration, and have directed me to report the same back with amendments, recommending its passage.

CHAS. E. WEED,
Chairman.

Report received and adopted.

Rules suspended, bill read a third times, passed, and title approved.

Mr. Gile was excused from further attendance upon this House to-day

When, on motion, the House adjourned.

AFTERNOON SESSION.

House met punctually at the hour to which it had adjourned.

Mr. Speaker in the chair.

Roll called—members all present except Messrs. Brownfield, Chenoweth, Foster, Miles, Noyes, Simmons, Webster, and Van Valzah.

Reports from Standing Committees:

Mr. Henness, from the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:

The Committee on Enrolled Bills have examined and found to be correctly enrolled the following:

H. B. No. 98—An act relating to justices of the peace and constables, and the practice before justices of the peace.

H. B. No. —An act relative to crimes and punishment, and proceedings in criminal cases.

H. B. No. 111—An act to incorporate the Wallacut Portage Railroad Company.

H. B. No. 137—An act to amend an act entitled an act to encourage the building of bridges, plank and turnpike roads.

An act conferring jurisdiction upon the district court of the county of Walla-walla.

H. B. No. 133—An act authorizing P. C. Dunlevy to establish a ferry across the outlet of Lake Shalam, in Spokane county.

H. B. No. 117—An act to protect public and private bridges.

H. B., No. 1.—An act to amend an act, entitled, "An act to change the time of holding the County Commissioners' Court,"

H. B. No. 92—An act amendatory to an act, entitled an act to amend an act to incorporate the city of Vancouver.

H. J. R. No. —Asking the Secretary to pay Butler P. Anderson for compiling the laws.

H. J. R. No. 32—Relating to the Indian Agency.

H. B. No. 107—An act to punish sailors for deserting ships in the waters of Puget Sound.

Memorial—Asking Congress to appropriate \$240 George House, for his services as Enrolling Clerk.

Resolution—Relative to an amendment to the donation law.

H. B. No. —An act to amend an act entitled an act to authorize and regulate the erection of wharves.

H. B. No. 50—An act to locate and establish a territorial road from John M. Shotwell's, on Black river, to David Biles', on the Chehalis river.

H. M. No. 21—Relative to compensation to Dr. Samuel McCurdy, for services rendered as Surgeon of the U. S. Marine Hospital, at Port Townsend, W. T.

H. B. No. —An act authorizing J. L. Scammons to establish a ferry across the Chehalis river.

H. J. R. No. 27—Concerning extra pay for the members, attachees, or officers of the legislative assembly of Washington Territory,

H. B. No. —"An act to dissolve the bonds of matrimony existing between Martin Schmeig and Elizabeth Schmeig.

H. B. No. 121—An act to authorize William Packwood to establish a bridge across the Nisqually river.

H. B. No. 104—An act to incorporate the Chehalis Steamboat Navigation Company.

H. B. No. 90—An act to define the boundary lines between the counties of Thurston and Sawamish.

H. B. No. 79—An act to locate a territorial road from Steilacoom, in Pierce county, to Yelm prairie, in Thurston county,

H. B. No. 40—An act to create and organize the county of Spokane.

H. B. No. —An act to amend an act relative to weights and measures.

C. B. No. 12—An act, to amend an act, entitled, an act to pro-

vide for a stay of execution upon judgments in the supreme and district courts.

H. J. R. No. 21—Tendering thanks to Capt. Charles Dodd for procuring the scalp of Col. I. N. Ebey.

C. B. No. 23—An act to dissolve the bonds of matrimony existing between Thomas Tallantine and Agnes M. Tallantine.

H. J. R. No. 7—Asking Congress to donate to Washington Territory ten million acres of arable land in aid of her territorial internal improvement fund.

H. B. No. 100—An act to prevent the sale of intoxicating liquors to Indians.

H. B. No. 96—An act to dissolve the bonds of matrimony existing between Amos B. Pierce and Elizabeth Pierce.

H. J. M. No. 17—Praying for treaties to be formed with the Chehalis and othe tribes of Indians.

H. B. No. 5—An act conferring jurisdiction upon the district court of Walla-walla.

H. B. No. 135—An act for the relief of the Territorial Librarian.

B. L. HENNESSY,

Chairman Honse Jt. Com.

Which was received and adopted.

The Speaker gave notice that he would now proceed to sign the following bills, memorials and resolutions:

H. B. No. 98—An act relating to justices of the peace and constables, and the practice before justices of the peace.

H. B. No. —An act relative to crimes and punishment, and proceedings in criminal cases.

H. B. No. 111—An act to incorporate the Wallacut Portage Railroad Company.

H. B. No. 137—An act to amend an act entitled an act to encourage the building of bridges, plank and turnpike roads.

An act conferring jurisdiction upon the district court of the county of Walla-walla.

H. B. No. 133—An act authorizing P. C. Dunlevy to establish a ferry across the outlet of Lake Shalam, in Spokane county.

H. B. No. 117—An act to protect public and private bridges.

H. B., No. 1.—An act to amend an act, entitled, "An act to change the time of holding the County Commissioners' Court,"

H. B. No. 92—An act amendatory to an act, entitled an act to amend an act to incorporate the city of Vancouver.

H. J. R. No. —Asking the Secretary to pay Butler P. Anderson for compiling the laws.

H. J. R. No. 32—Relating to the Indian Agency.

H. B. No. 107—An act to punish sailors for deserting ships in the waters of Puget Sound.

Memorial—Asking Congress to appropriate \$240 George House, for his services as Enrolling Clerk.

Resolution—Relative to an amendment to the donation law.

H. B. No. —An act to amend an act entitled an act to authorize and regulate the erection of wharves.

H. B. No. 50—An act to locate and establish a territorial road from John M. Shotwell's, on Black river, to David Biles', on the Chehalis river.

H. M. No. 21—Relative to compensation to Dr. Samuel McCurdy, for services rendered as Surgeon of the U. S. Marine Hospital, at Port Townsend, W. T.

H. B. No. —An act authorizing J. L. Scammons to establish a ferry across the Chehalis river.

H. J. R. No. 27—Concerning extra pay for the members, attachees, or officers of the legislative assembly of Washington Territory,

H. B. No. —“An act to dissolve the bonds of matrimony existing between Martin Schmeig and Elizabeth Schmeig.

H. B. No. 121—An act to authorize William Packwood to establish a bridge across the Nisqually river.

H. B. No. 104—An act to incorporate the Chehalis Steamboat Navigation Company.

H. B. No. 90—An act to define the boundary lines between the counties of Thurston and Sawamish.

H. B. No. 79—An act to locate a territorial road from Steilacoom, in Pierce county, to Yelm prairie, in Thurston county,

H. B. No. 40—An act to create and organize the county of Spokane.

H. B. No. —An act to amend an act relative to weights and measures.

C. B. No. 12—An act, to amend an act, entitled, an act to provide for a stay of execution upon judgments rendered in the supreme and district courts.

H. J. R. No. 21—Relative to tendering a vote of thanks to Captain Charles Dodd, for procuring the scalp of Col. Isaac N. Ebey.

C. B. No. 7—An act to dissolve the bonds of matrimony existing between Thomas Tallantine and his wife.

H. J. R. No. 7—Asking Congress to donate to Washington Terri-

ritory ten million acres of arable land, in aid of her territorial internal improvement fund,

H. B. No. 100—An act to prevent the sale of intoxicating liquors to Indians.

H. B. No. —An act to dissolve the bonds of matrimony existing between Amos B. Pierce and his wife.

H. J. R. No. 17—Praying for treaties to be formed with the Chehalis and other tribes of Indians,

H. B. No. 5—An act conferring jurisdiction upon the district court of the county of Walla Walla.

H. B. No. 135—An act for the relief of the late Territorial Librarian and Auditor.

J. T. TURNER,
Chief Clerk.

Message from the Council:

MR. SPEAKER:

I am directed to inform the House that the Council have passed the following:

H. J. R. No. 34—Relative to the distribution of the public arms,
With an amendment—By striking out all after the enacting clause, and inserting four additional sections.

A. J. MOSES,
Chief Clerk.

Upon leave, Mr. Tennant introduced—

H. J. R. No. —Relative to appointing a committee to wait upon the Governor, and ascertain if he has any communication to make to the Legislature before they adjourn *sine die*.

Resolution read a first time.

Rules suspended, bill read a second and third time, passed, and title agreed to.

And the chair appointed Messrs. Tennant, Chapman and Knapp said committee on the part of the House.

They were instructed to report to-morrow morning at 9 o'clock.

Mr. Tennant moved that when this House adjourns it adjourn till to-morrow morning at 9 o'clock.

Carried.

Mr. Swindall submitted the following report:

MR. SPEAKER :

The committee to whom was referred—

C. B. No. 18—An act to provide for the sale of common school lands of the Territory of Washington,

Have had the same under consideration, and have instructed me to report the same back with an amendment, and recommend its passage.

C. W. SWINDALL,
Chairman.

Report received and adopted.

Message from the Council:

MR. SPEAKER:

I am instructed by the Council to inform the House that the President has signed the following bills:

H. B. No. 71—An act for the suppression of houses of ill-fame.

H. B. No. 19—An act to locate the county seat of Pacific county.

C. B. No. 20—An act to incorporate the Olympia Wharf Company.

H. B. No. 106—An act to regulate the county tax of Kitsap county.

H. B. No. 60—An act to punish persons for enticing sailors to desert from ships,

H. B. No. 86—An act to regulate suits for divorce and alimony.

H. B. No. 32—An act defining the boundaries of Chehalis county.

H. B. No. —An act establishing a common system for the Territory of Washington.

H. B. No. 85—An act to prevent fraudulent conveyances.

C. B. No. 22—An act to dissolve the bonds of matrimony existing between Francis McNatt and Mary Ann McNatt.

H. B. No. 101—An act to prevent the sale of intoxicating liquors to Kanakas.

H. B. No. 89—An act relating to taking up saw logs and other timber of value.

H. B. No. 93—An act for the temporary establishment of the county seat of Chehalis county, and to provide for the location of the same by the popular vote at the next annual election.

H. B. No. —An act relative to crimes and punishment, and proceedings in criminal cases.

C. J. M. No. 4—Relative to the tide flats lying in front and adjacent to the town of Olympia.

And that the Council has passed the following:

C. B. No. 27—Relative to compensation to A. J. Moses and R. M. Walker.

H. B. No. 120—An act to amend an act to prevent stud-horses, &c., from running at large.

With amendments.

H. B. No. 122—An act to amend an act entitled an act concerning estrays and other unclaimed property.

And that the Council have indefinitely postponed—

H. R. No. 28—Concerning the organic act.

And that the Council have passed

C. B. No. 24—An act to create public administrators.

And that the Council has indefinitely postponed

H. B. No. 95—An act relative to the increase of county revenue.

And that the Council has passed

Substitute for H. B. No. 80—An act to prevent the sale of adulterated liquors.

H. B. No. 113—An act in relation to prosecuting attorneys.

Substitute for H. B. No. 14—An act in reference to Indian half-breed children.

H. B. No. 128—An act to extend the mechanics lien law to logs, spars, sawed lumber, and other timbers.

H. B. No. 141—An act relating to county assessors.

H. B. No. 143—An act to compensate Elwood Evans for legal services rendered the Judiciary Committee.

H. J. R. No. 33—Relative to appointing delegates to attend a Northern Pacific Railroad Convention to be held at Vancouver.

H. B. No. 140—An act to authorize the Territorial Treasurer to credit the several counties with delinquent tax list.

H. B. No. 31—An act to appoint officers for Chehalis county.

H. B. No. 138—An act to dissolve the bonds of matrimony existing between Martin Schmeig and Elizabeth C. Schmeig.

H. B. No. 135—An act for the relief of the late territorial auditor and librarian.

H. B. No. 142—An act authorizing William Packwood to establish a bridge across the Nisqually river.

And the Council has concurred in House amendments to

C. B. No. 8—An act to authorize the Secretary to receive compensation for certificates and seal of office.

C. B. No. 28—An act authorizing the county commissioners courts of Thurston and Pierce counties to hold four terms in one year.

And that the Council have indefinitely postponed

H. B. No. 57—An act to exempt certain property of unmarried men from execution.

And that the Council have passed

H. B. No. 61—An act in relation to dower,
With amendment.

ANDREW J. MOSES,
Chief Clerk.

C. B. No. 18—An act to provide for the sale of the public school lands of W. T.

Bill read as amended.

Mr. Tennant moved to indefinitely postpone the bill.

Upon which motion the ayes and nays were demanded, and the following is the vote:

Those voting in the affirmative, were—

Messrs. Chapman, Ferguson, McCall, Savage, Shockley, Short, Smith, Tennant, Weed, Wood, and Mr. Speaker—11.

Those voting in the negative, were—

Messrs. Judson, Knapp, Shead, Shelton, Swindall, Willard, and Yantis—7.

The bill was therefore indefinitely postponed.

Message from the Council :

MR. SPEAKER:

I am instructed by the Council to inform the House of the passage of the following, to wit:

H. J. R. No. 20—Relative to compensating Governor Gholson for services as acting Secretary,

With amendments.

A. J. MOSES,
Chief Clerk.

Business from the Council:

H. J. R. No. 34—Authorizing the Quarter-Master General to issue arms to members and officers of the present Legislature.

Was read as amended by the Council, and the amendments were concurred in.

Message from the Council by their Clerk :

MR. SPEAKER:

I am instructed by the Council to inform the House of the passage of the following:

H. J. R. No. 25—Concerning the Register and Receiver's office of Washington Territory,
With amendments.

A. J. MOSES,
Chief Clerk.

H. J. R. No. 25—In relation to the Register and Receiver's office.
Bill read as amended by the Council, and the House refused to concur in Council amendments.

H. B. No. 120—An act entitled an act to amend an act to prevent stud-horses, &c., from running at large,

Bill read as amended by the Council, and the House refused to concur therein.

H. B. No. 113—An act in relation to prosecuting attorneys.

Read as amended by the Council, and the amendments were concurred in.

Message from the Council :

MR. SPEAKER:

I am instructed to inform the House of the passage of
Resolution—To await upon the Governor, and that Messrs. Caples and Woodard are appointed on the part of the Council on said committee.

And that the Council have passed

H. M. No. 12—Relative to re-locating the military road from Steilacoom to Walla-walla.

And that the Council have indefinitely postponed

H. B. No. 88—An act to authorize the people of the Territory of Washington to express by their votes at the next general election where the Capitol of the Territory shall be permanently located.

ANDREW J. MOSES,
Chief Clerk.

H. B. No. 61—An act to locate the county seat of Walla-walla county.

Read as amended by the Council, and amendments concurred in.

H. J. M. No. 20—Relative to compensating Governor Gholson,
Read as amended by the Council, and the House refused to concur therein.

C. B. No. 20—An act appropriating money out of the Territorial Treasury to pay A. J. Moses and R. M. Walker for certain services.

Read a first time.

Mr. Yantis moved a call of the House.

Carried.

And the Sergeant-at-arms was instructed to bring in the absent members.

The Sergeant-at-arms being absent, and there being no quorum present, the Speaker pronounced the House adjourned.

J. T. TURNER,

Chief Clerk.

THURSDAY, February 2, 1860.

House met pursuant to adjournment.

Mr. Speaker in the Chair.

Upon calling the roll, all the members were found present except Messrs. Brownfield, Chenoweth, Foster, Miles, Noyes, Simmons, Van Valzah and Webster.

Journal of yesterday read and approved.

Mr. Tennant submitted the following report:

MR. SPEAKER:

The Joint Committee, appointed to wait on his excellency the Governor, have discharged that duty, and are informed by him that he has no further communications to make.

JOHN A. TENNANT,

Chairman.

Report received and adopted.

Business from the Council:

MR. SPEAKER :

I am directed to inform the House that the Council have passed the following bill:

H. B. No. —An act authorizing Wm. Packwood to establish a wagon road on the Nisqually river.

Also, that the President of the Council has signed the following bills, memorials and resolutions:

H. B. No. 98—An act relating to justices of the peace and constables, and the practice before justices of the peace.

H. B. No. —An act relative to crimes and punishment, and proceedings in criminal cases.

H. B. No. 111—An act to incorporate the Wallacut Portage Railroad Company.

H. B. No. 137—An act to amend an act entitled an act to encourage the building of bridges, plank and turnpike roads.

An act conferring jurisdiction upon the district court of the county of Walla-walla.

H. B. No. 133—An act authorizing P. C. Dunlevy to establish a ferry across the outlet of Lake Shalam, in Spokane county.

H. B. No. 117—An act to protect public and private bridges.

H. B., No. 1.—An act to amend an act, entitled, "An act to change the time of holding the County Commissioners' Court."

H. B. No. 92—An act amendatory to an act, entitled an act to amend an act to incorporate the city of Vancouver.

H. J. R. No. —Asking the Secretary to pay Butler P. Anderson for compiling the laws.

H. J. R. No. 32—Relating to the Indian Agency.

H. B. No. 107—An act to punish sailors for deserting ships in the waters of Puget Sound.

Memorial—Asking Congress to appropriate \$240 George House, for his services as Enrolling Clerk.

Resolution—Relative to an amendment to the donation law.

H. B. No. —An act to amend an act entitled an act to authorize and regulate the erection of wharves.

H. B. No. 50—An act to locate and establish a territorial road from John M. Shotwell's, on Black river, to David Biles', on the Chehalis river.

H. M. No. 21—Relative to compensation to Dr. Samuel McCurdy,

for services rendered as Surgeon of the U. S. Marine Hospital, at Port Townsend, W. T.

H. B. No. —An act authorizing J. L. Scammons to establish a ferry across the Chehalis river.

H. J. R. No. 27—Concerning extra pay for the members, attachees, or officers of the legislative assembly of Washington Territory.

H. B. No. —“An act to dissolve the bonds of matrimony existing between Martin Schmeig and Elizabeth Schmeig.

H. B. No. 121—An act to authorize William Packwood to establish a bridge across the Nisqually river.

H. B. No. 104—An act to incorporate the Chehalis Steamboat Navigation Company.

H. B. No. 90—An act to define the boundary lines between the counties of Thurston and Sawamish.

H. B. No. 79—An act to locate a territorial road from Steilacoom, in Pierce county, to Yelm prairie, in Thurston county,

H. B. No. 40—An act to create and organize the county of Spokane.

H. B. No. An act to amend an act relative to weights and measures.

C. B. No. 12—An act, to amend an act, entitled, an act to provide for a stay of execution upon judgments rendered in the supreme and district courts.

H. J. R. No. 21—Relative to tendering a vote of thanks to Captain Charles Dodd, for procuring the scalp of Col. Isaac N. Ebey.

C. B. No. 7—An act to dissolve the bonds of matrimony existing between Thomas Tallantine and his wife.

H. J. R. No. 7—Asking Congress to donate to Washington Territory ten million acres of arable land, in aid of her territorial internal improvement fund,

H. B. No. 100—An act to prevent the sale of intoxicating liquors to Indians.

H. B. No. —An act to dissolve the bonds of matrimony existing between Amos B. Pierce and his wife.

H. J. R. No. 17—Praying for treaties to be formed with the Chehalis and other tribes of Indians,

H. B. No. 5—An act conferring jurisdiction upon the district court of the county of Walla Walla.

H. B. No. 135—An act for the relief of the late Territorial Librarian and Auditor.

ANDREW J. MOSES,
Chief Clerk.

The Speaker announced the receipt of the following communication, which was read for the information of the members of the House, and ordered to be spread upon the journal:

To the Honorable House of Representatives of the Territory of Washington, United States of North America:

OFFICE OF SERGEANT-AT-ARMS, HOUSE OF REPRESENTATIVES, }
City of Olympia, February 2d, 1860. }

GENTLEMEN:—Ever thankful for the courteous and friendly support, during my feeble efforts, for your comfort, as “Sergeat-at-arms” of your honorable body, I hereby tender my heartfelt thanks, and trust I have not proved unworthy the trust imposed on me; and if there has been instances of human official erring on my part, it may be attributed in not having the power to furnish all the requirements of your desks and committee rooms. I resign my position as your officer to those who gave it me, and return to the rank and file of the people, with whom I trust to mingle, if not a better, at least a wiser democrat. May I, in conclusion, be permitted to tender this motto to your honorable body:

“The power behind the Throne—greater than the Throne itself!”

JOHN W. PARK,

Sergeant-at-arms H. R., W. T.

Upon motion of Mr. Chapman,

The House took a recess of one hour.

House called to order,

And Mr. Hennes submitted the following report from the Joint Committee on Enrolled Bills:

MR. SPEAKER:

The joint committee on Enrolled bills have examined and found the following to be correctly enrolled:

H. B. No. 141—An act relating to county assessors.

H. B. No. —An act to locate the county seat of Walla Walla county.

H. B. No. 127—An act to dissolve the bonds of matrimony between John Taylor and Jane Taylor.

H. B. No. 13—An act to appoint officers for Chehalis county.

H. B. No. —An act to pay Elwood Evans sixty dollars.

H. B. No. 25—An act authorizing William Packwood to establish a bridge across the Nisqually river.

H. B. No. 122—An act to amend an act entitled an act relative to estrays and other unclaimed property.

C. B. No. 8—An act to authorize the Secretary of the Territory to receive compensation for certificates and seal of office.

Council substitute for H. B. No. 105—An act to amend an act entitled, an act relating to the construction and maintaining of roads.

Substitute for H. B. No. 80—An act to prevent the sale of adulterated intoxicating liquors.

H. B. No. —An act to regulate the road tax of Cowlitz county.

C. B. No. 21—Supplement to an act entitled an act to incorporate the Northern Pacific Railroad Company, approved Jan. 28, 1857.

H. B. No. —An act to extend the provisions of the mechanic's lien law.

H. B. No. 113—An act in relation to prosecuting attorneys.

H. J. R. No. —Relative to furnishing Walla-walla county with territorial arms.

Substitute for H. J. R. No. 33—Concerning a Northern Pacific Railroad Convention.

H. B. No. An act authorizing Wm. Packwood to construct a wagon road near the Nisqually river.

H. B. No. —An act authorizing the Territorial Treasurer to credit the several counties with delinquent tax lists.

H. B. No. An act authorizing the county commissioners of Thurston and Pierce counties to hold four terms of court a year.

B. L. HENNESS,

Chairman on part of the House.

Report received and adopted.

Mr. Speaker gave notice that he would proceed to sign said bills, as reported by said committee.

The following report was received from the committee of conference on the part of the two houses of the Legislative Assembly, appointed to examine and report upon an act to fix and apportion the members of the Legislative Assembly, which was ordered to be entered upon the journal of the House:

MR. SPEAKER :

The committee of conference on the part of the two houses of the Legislative Assembly for the Territory of Washington, appointed to examine and report upon an act to apportion the members of the House of

Representatives and Council of the Territory of Washington, have carefully examined said bill, and agree that Thurston county is entitled to five instead of four members in the House, and that Sawamish should be attached to Thurston county instead of Pierce, for a Representative in the Council, inasmuch as Sawamish and Thurston have already chosen a Councilman for the next two years, and that Pierce county has elected a Councilman for the next year; but your committee are of the opinion that the bill, as it now stands, allowing Thurston county only four members in the House and attaching Sawamish to Pierce county, for a Council District, is the only bill that can pass this session, and are therefore of the opinion that no amendment should be made to said bill.

The undersigned, not concurring with a majority of said committee, recommend that Thurston county have one Councilman, and that Thurston and Sawamish have one Councilman, and that Pierce county have one Councilman; also, that Kitsap elect two Representatives for the House, and Pierce county two, and Kitsap and Pierce one joint member, and Thurston county five members.

And ask to be discharged from the further consideration of the subject.

JAMES BILES,

Chairman, on the part of the Council.

JNO. A. TENNANT,

Chairman on the part of the House.

Mr. Henness moved a call of the House.

Carried.

And upon a call of the roll, there being no quorum present,

The Speaker pronounced the House adjourned, *sine die*.

J. T. TURNER,

Chief Clerk.